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HUMANE SLAUGHTERING OF LIVESTOCK



HEARINGS
BEFORE THE
COMMITTEE ON
AGRICULTURE AND FORESTRY
UNITED STATES SENATE
EIGHTY-FIFTH CONGRESS
SECOND SESSION
ON
S. 1213, S. 1497, and H. R. 8308
PROPOSALS RELATING TO HUMANE METHODS OF
SLAUGHTER OF LIVESTOCK

APRIL 28, 29, 30, AND MAY 1, 1958

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HUMANE SLAUGHTERING OF LIVESTOCK

MONDAY, APRIL 28, 1958

UNITED STATES SENATE,
COMMITTEE ON AGRICULTURE AND FORESTRY,
Washington, D. C.

The committee met, pursuant to call, at 10 a. m., in room 324, Senate Office Building, Senator Humphrey presiding.

Present: Senators Humphrey, Symington, Talmadge, Aiken, Thyne, and Hickenlooper.

Senator TALMADGE. The committee will be in order.

We have scheduled for the next several days hearings on the humane slaughter bill. Today has been reserved for proponents of the bill. Tomorrow opponents of the bill will be heard. The following day the Department of Agriculture and any other interested Federal agencies will be heard. And the next hearing will be for rebuttal statements.

If any farm organizations desire to be heard of course we want to hear from them.

(The bills follow:)

[S. 1213, 85th Cong., 1st sess.]

A BILL To promote the development and use of improved methods for the humane handling, transporting, and slaughtering of livestock and poultry in interstate and foreign commerce

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress finds that the use of humane methods in the handling, transporting, and slaughtering of livestock and poultry prevents needless suffering; brings about improvement of products; and produces other benefits for producers, processors, and consumers which tend to expedite the orderly flow of livestock and poultry and their products in interstate and foreign commerce. It is therefore declared to be the policy of Congress to provide for study and research to develop improved methods of handling, transporting, and slaughtering, and to encourage acceptance and use of such methods to the end that livestock and poultry shall be handled, transported, and slaughtered only by humane methods.

SEC. 2. The Secretary of Agriculture is authorized to conduct, assist, and foster research, investigation, and experimentation to develop and to encourage the adoption of improved methods of handling, transporting, and slaughtering livestock and poultry.

SEC. 3. To assist in implementing the provisions of section 2, the Secretary is authorized to establish an advisory committee. The functions of the advisory committee shall be to consult with the Secretary and other appropriate officials of the Department of Agriculture and to make recommendations relative to (a) the research authorized in section 2; and (b) obtaining the cooperation of the public, producers, farm organizations, industry groups, humane associations, and Federal and State agencies in the furtherance of such research and the adoption of improved methods. The chairman of the committee shall be an official of the Department of Agriculture designated by the Secretary. The committee shall consist of not more than eight members other than the chairman and shall be appointed by the Secretary and shall include representatives of (a) the public, including groups concerned with humane handling of animals, (b) producer and industry groups, and (c) scientific and professional groups. The committee

shall meet at the call of the Secretary or his designee. Committee members other than the chairman shall not be deemed to be employees of the United States and are not entitled to compensation, but the Secretary is authorized to allow their travel and subsistence expenses necessary in connection with their attendance at meetings called by him or his designee for the purpose of this section.

SEC. 4. The Secretary of Agriculture shall report to the Congress on January 1, 1959, and annually thereafter concerning actions taken pursuant to this Act.

SEC. 5. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

[S. 1497, 85th Cong., 2d sess.]

AMENDMENT (In the Nature of a Substitute) Intended to be proposed by Mr. Humphrey to the bill (S. 1497) to require the use of humane methods in the slaughter of livestock and poultry in interstate or foreign commerce, and for other purposes, viz: Strike out all after the enacting clause and insert in lieu thereof the following:

That the Congress finds that the use of humane methods in the slaughter of livestock prevents needless suffering; results in safer and better working conditions for persons engaged in the slaughtering industry; brings about improvement of products and economies in slaughtering operations; and produces other benefits for producers, processors, and consumers which tend to expedite an orderly flow of livestock and livestock products in interstate and foreign commerce. It is therefore declared to be the policy of the United States that the slaughtering of livestock and the handling of livestock in connection with slaughter shall be carried out only by humane methods.

SEC. 2. No method of slaughtering or handling in connection with slaughtering shall be deemed to comply with the public policy of the United States unless it is humane. Either of the following two methods of slaughtering and handling are hereby found to be humane:

(a) in the case of cattle, calves, horses, mules, sheep, swine, and other livestock, all animals are rendered insensible to pain by a single blow or gunshot or an electrical, chemical, or other means that is rapid and effective, before being shackled, hoisted, thrown, cast, or cut; or

(b) by slaughtering in accordance with the ritual requirements of the Jewish faith or any other religious faith that prescribes a method of slaughter whereby the animal suffers loss of consciousness by anemia of the brain caused by the simultaneous and instantaneous severance of the carotid arteries with a sharp instrument.

SEC. 3. The public policy declared herein shall be taken into consideration by all agencies of the Federal Government in connection with all procurement and price support programs and operations and after December 31, 1959, no agency or instrumentality of the United States shall contract for or procure any livestock products produced or processed by any slaughterer or processor which in any of its plants or in any plants of any slaughterer or processor with which it is affiliated slaughters or handles in connection with slaughter livestock by any methods other than methods designated and approved by the Secretary of Agriculture (hereinafter referred to as the Secretary) pursuant to section 4 hereof: *Provided*, That during the period of any national emergency declared by the President or the Congress, the limitations on procurement required by this section may be modified by the President to the extent determined by him to be necessary to meet essential procurement needs during such emergency. For the purposes of this section a slaughterer or processor shall be deemed to be affiliated with another slaughterer or processor if it controls, is controlled by, or is under common control with, such other slaughterer or processor. After December 31, 1959, each supplier from which any livestock products are procured by any agency of the Federal Government shall be required by such agency to make such statement of eligibility under this section to supply such livestock products as, if false, will subject the maker thereof to prosecution, title 18, United States Code, section 287.

SEC. 4. In furtherance of the policy expressed herein the Secretary is authorized and directed—

(a) to conduct, assist, and foster research, investigation, and experimentation to develop and determine methods of slaughter and the handling of livestock in connection with slaughter which are practicable with reference to the speed and scope of slaughtering operations and humane with reference to other existing methods and then current scientific knowledge;

(b) on or before June 30, 1958, and at such times thereafter as he deems advisable, to designate methods of slaughter and of handling in connection

with slaughter which, with respect to each species of livestock, conform to the policy stated herein. If he deems it more effective, the Secretary may make any such designation by designating methods which are not in conformity with such policy. Designations by the Secretary subsequent to July 1, 1959, shall become effective for purposes of section 3 hereof 180 days after their publication in the Federal Register;

(c) to provide suitable means of identifying the carcasses of animals inspected and passed under the Meat Inspection Act (21 U. S. C. 71 and the following) that have been slaughtered in accordance with the public policy declared herein.

SEC. 5. To assist in implementing the provisions of section 4, the Secretary is authorized to establish an advisory committee. The functions of the Advisory Committee shall be to consult with the Secretary and other appropriate officials of the Department of Agriculture and to make recommendations relative to (a) the research authorized in section 4; (b) obtaining the cooperation of the public, producers, farm organizations, industry groups, humane associations, and Federal and State agencies in the furtherance of such research and the adoption of improved methods; and (c) the designations required by section 4. The Committee shall be composed of twelve members, of whom one shall be an officer or employee of the Department of Agriculture designated by the Secretary (who shall serve as Chairman); two shall be representatives of national organizations of slaughterers; one shall be a representative of the trade-union movement engaged in packinghouse work; one shall be a representative of the general public; two shall be representatives of livestock growers; one shall be a representative of the poultry industry; two shall be representatives of national organizations of the humane movement; one shall be a representative of a national professional veterinary organization; and one shall be a person familiar with the requirements of religious faiths with respect to slaughter. The Department of Agriculture shall assist the Committee with such research personnel and facilities as the Department can make available. Committee members other than the Chairman shall not be deemed to be employees of the United States and are not entitled to compensation but the Secretary is authorized to allow their travel expenses and subsistence expenses in connection with their attendance at regular or special meetings of the Committee. The Committee shall meet at least once each year and at the call of the Secretary and shall from time to time submit to the Secretary such reports and recommendations with respect to new or improved methods as it believes should be taken into consideration by him in making the designations required by section 4 and the Secretary shall make all such reports available to the public.

SEC. 6. Nothing in this Act shall be construed to prohibit, abridge, or in any way hinder the religious freedom of any person or group to slaughter and prepare for the slaughter of livestock in conformity with the practices and requirements of his religion.

(NOTE: The above substitute amendment to S. 1497 is identical to H. R. 8308, as passed by the House of Representatives February 4, 1958.)

DEPARTMENT OF AGRICULTURE,
Washington, D. C., April 22, 1957.

HON. ALLEN J. ELLENDER,
Chairman, Committee on Agriculture and Forestry,
United States Senate.

DEAR SENATOR ELLENDER: This is in reply to your request of February 15, 1957, for a report on S. 1213, a bill to promote the development and use of improved methods for the humane handling, transporting, and slaughtering of livestock and poultry in interstate and foreign commerce.

The Department recommends enactment of S. 1213. Section 5 of this bill authorizes the appropriation of necessary funds to carry out its provisions. Should this bill be enacted, the financial provision so authorized would be considered within the normal budgetary process.

S. 1213 would authorize the Secretary of Agriculture to conduct, assist, and foster research, investigation, and experimentation to develop and to encourage the adoption of improved methods of handling, transporting, and slaughtering livestock and poultry. The bill would also authorize the said Secretary to appoint an advisory committee composed of nine members who would consult and advise him in carrying out the proposed legislation. The aforementioned Sec-

retary would be authorized to allow the Advisory Committee their necessary travel and subsistence expenses in connection with their attendance at meetings called by him or his designee. The bill further provides for the (1) Secretary of Agriculture to report to the Congress annually, commencing January 1, 1959, concerning actions taken pursuant to the legislation and (2) appropriation of necessary funds to carry out the bill's provisions.

The attitude of this Department is that a practical approach should be made to devise improved methods for the humane handling of livestock and poultry. Judgment of a procedure or method to determine whether it is in fact humane is extremely difficult, since all food animals must be killed and the act of killing is at best an unpleasant business. Wide differences of opinion are usually expressed about the practicality and the humaneness of any new method proposed. Each such proposal, in our opinion, must be most carefully considered and tested in the plants to determine these issues.

It is also apparent that much fundamental knowledge is lacking upon which to base an opinion of the acceptability of one method over another from the standpoint of humaneness. It seems evident that research is needed to develop information which may shed light on this aspect of the problem.

The Bureau of the Budget advises that there is no objection to the submission of this report.

Sincerely yours,

TRUE D. MORSE, *Acting Secretary*

DEPARTMENT OF AGRICULTURE,
Washington, D. C., February 25, 1958.

HON. ALLEN J. ELLENDER,
Chairman, Committee on Agriculture and Forestry,
United States Senate.

DEAR SENATOR ELLENDER: This is with reference to H. R. S308, a bill to establish a national policy whereby livestock would be slaughtered by humane methods.

Section 3 of the bill requires that after December 31, 1959, Government procurement of meat and livestock products be made only from processors who in all of their slaughtering operations are complying with methods of humane slaughter designated and approved by the Secretary of Agriculture. This requirement would have an adverse effect upon this Department's meat-purchase programs, particularly section 32 surplus removal programs for livestock which are undertaken to encourage domestic consumption thereby providing price assistance to producers.

Even though beef-slaughtering operations were to be conducted in accordance with the bill, this Department could not purchase any kind of meat from slaughterers who slaughtered any animals not in accordance with section 2. Consequently, if this Department desired to provide price assistance to producers for one species of livestock through meat purchases, it would be difficult, if not impossible, under the bill because most meatpacking firms slaughter several species of livestock, one or more of which may not be slaughtered in accordance with section 2.

Several methods of providing price assistance to livestock producers have been given careful consideration. Surplus removal of meat products has been found to be a very practical and effective means of providing such assistance to a perishable agricultural commodity. This Department, in carrying out section 32 meat-purchase programs, must necessarily purchase the products from packers and processors. Meat products purchased usually are required to be prepared under special specifications so as to insure that they are of the kind and quality which may be best utilized by the eligible outlets.

In the past, during periods of low livestock prices, this Department has removed surplus meat from the normal channels of trade to provide market assistance to livestock producers. The products purchased are donated to schools participating in the national school-lunch program, and to charitable institutions, needy families, and other eligible outlets. In 1953, this Department purchased 217 million pounds of beef at a cost of \$85.7 million. During the 1955-56 marketing year, 196 million pounds of pork products and lard were purchased at a cost of \$101.7 million. Also, during the fall of 1956, 100 million pounds of livestock products, including 28 million pounds of pork and lard, were purchased at a cost of \$32.9 million. These programs provided considerable market assistance to livestock producers during times when it was most needed.

Even though these quantities are quite large, they are small in relation to total output. It is doubtful whether the meat purchased by this Department and other Government agencies would provide sufficient incentive for the industry to make large-scale changes in their slaughtering operations as required by this legislation. It is also likely that some firms would offer products to the Government only at prices necessary to cover the expenses incurred in making changes necessitated by the bill.

Usually the section 32 meat-purchase programs are undertaken on relatively short notice and are conducted for only a relatively short period of time when supplies of livestock are exceptionally large and prices to producers are seriously depressed. During such periods the meat industry, of course, is operating near capacity. As a result, past experience has indicated that one of the main difficulties in successfully carrying out a meat-purchase program is obtaining prompt and sufficient participation by the meat industry. Section 3 of the bill would make it exceptionally difficult to successfully carry out section 32 surplus meat purchases.

The Department emphatically favors humane slaughter of livestock by any method that is found to be practicable and workable. In the past, we opposed the enactment of H. R. 8308 and such similar bills due to our conviction that the most practical approach to the problem would come from an orderly pooling of the efforts of Government, industry, and the humane associations, and that research is needed to develop information which would guide the development of practical methods.

In lieu of H. R. 8308, as passed by the House, we recommend that the Senate consider the merits of S. 1213. This bill would provide an orderly approach to the objective of humane slaughter and would, in addition, provide for a coordinated national effort to improve the humane handling and transport of food animals which involve repeated handling of these animals during the marketing process from farm to slaughter.

Since section 3 of H. R. 8308 would be particularly detrimental to the programs which this Department administers, we are calling it to your attention at this time. In the meantime, we are making a further analysis of other sections of the bill to determine their impact on this Department.

The Bureau of the Budget advises that there is no objection to the submission of this report.

Sincerely yours,

TRUE D. MORSE, *Acting Secretary.*

DEPARTMENT OF THE ARMY,
Washington, D. C., April 8, 1958.

HON. ALLEN J. ELLENDER,
*Chairman, Committee on Agriculture and Forestry,
United States Senate.*

DEAR MR. CHAIRMAN: Reference is made to your request to the Secretary of Defense for the views of the Department of Defense with respect to H. R. 8308, 85th Congress, an act to establish the use of humane methods of slaughter of livestock as a policy of the United States, and for other purposes. The Secretary of Defense has delegated to the Department of the Army the responsibility for expressing the views of the Department of Defense thereon.

The bill would establish the use of humane methods of slaughter of livestock as a policy of the United States and in addition to methods of slaughter defined therein as humane, would require the Secretary of Agriculture, with the help of an advisory committee, to designate other methods which conform to the policy. Further, section 3 of the bill would prohibit after December 31, 1959, the procurement by any agency or instrumentality of the United States of any livestock products produced or processed by any slaughterer or processor which in any of its plants, or those of its affiliates, slaughters or handles in connection with slaughter, livestock by methods other than those designated and approved by the Secretary of Agriculture. Each supplier from which livestock products are procured would be required to make a statement of eligibility, which, if false, would subject the maker to prosecution under title 18, United State Code, section 287.

The Department of the Army, on behalf of the Department of Defense, is completely in favor of the basic purpose of the bill, the use of humane methods in the slaughter of livestock, but is opposed to section 3 of the bill as presently written.

The Department of Defense procures an estimated 2 percent of the national production of livestock and a large percentage of contract awards are made to small-business firms. The requirements of section 3 would restrict competition, cause increased prices and could result in supply failure. No stunning device has been developed which would enable a packer to certify that all the animals slaughtered have been rendered insensible by a single blow or gunshot since these methods have been known to fail to stun each and every animal. If electrical or chemical means are prescribed as humane by the Secretary of Agriculture, it will take time for industry to obtain and install needed equipment. Modification of buildings may be required for installation of gas chambers and similar devices. Small business firms may be faced with capital expenditures which they cannot afford. Larger packers, for whom Government supply represents only a small percentage of their production, might be willing to forgo this percentage rather than to make expensive changes in their systems or install methods, which could, after the further research provided for in the bill, be found to be unacceptable to the Secretary of Agriculture.

In addition to the possible effect on supplies for troop feeding, complications could result in the overseas procurement of livestock products for resale overseas. The bill as written makes no exceptions for overseas purchases. While it is understood that many foreign countries have laws relating to the humane slaughter of livestock, the methods prescribed may or may not conform to the methods found acceptable by the Secretary of Agriculture.

For the foregoing reasons it is recommended that either section 3 be eliminated from the bill or that the bill be made inapplicable to purchases by the Department of Defense.

The fiscal effects of this legislation are not known to the Department of Defense. The bill, if enacted into law, will require slaughterers and processors to incur additional expenses. It can be assumed, therefore, that a proportionate part of these additional expenses will be included in the contract prices of any livestock products purchased by the Department of Defense. The budget for fiscal year 1960 will have to include provisions to cover these additional expenditures.

The Bureau of the Budget advises that there is no objection to the submission of this report.

Sincerely yours,

WILBER M. BRUCKER,
Secretary of the Army.

DEPARTMENT OF AGRICULTURE,
Washington, D. C., April 15, 1958.

HON. ALLEN J. ELLENDER,
*Chairman, Committee on Agriculture and Forestry,
United States Senate.*

DEAR SENATOR ELLENDER: This has reference to our letter of February 25 concerning H. R. 8308, a bill to establish the use of humane methods of slaughter of livestock as a policy of the United States, and for other purposes. That letter called to your immediate attention the detrimental effects section 3 of the bill would have upon the meat purchase programs which this Department administers.

We are writing now to give a more detailed analysis of the bill and the reasons for the Department's opposition to it. The comments in this letter and in our letter of February 25 are equally applicable to S. 1497, which is also before your committee and which is similar to H. R. 8308.

The Department has consistently favored the adoption of humane methods in all handling of livestock to prevent needless suffering; has advocated safer and better working conditions and improvement of products in slaughtering establishments; and has sought to improve methods which aid the orderly flow of livestock and products in interstate commerce for the benefit of the Nation as a whole. At the same time, the Department has opposed mandatory legislation which would require those engaged in the business of preparing meat animals for food to adopt methods of slaughtering under threat of governmental sanction.

During discussions, it has been represented that the pending legislation would apply only to those few individuals or firms that sell their meat to agencies of the Federal Government. Actually, as a declared policy of the United States, were the bill to be enacted into law, its effects would be felt in practically every community throughout the land. As to its specific terms, a large number of

operators are involved in selling a considerable volume and variety of meat to agencies such as the Department of Defense, the Veterans' Administration, the Department of Interior, this Department and others. The precise number or identity of those firms affected by the pending legislation could not be determined at any one time without great difficulty because of the constant changes that naturally accompany purchases by Government agencies. Broad competition in bidding for Government contracts is necessary to maintain reasonable prices. If such competition were restricted, the extra costs to the Government in its meat purchase contracts could be considerable.

The bill itself is rather difficult to interpret because of some uncertainties as to the meanings of terms used and the application of the provisions of the bill. There was no hearing on this bill in the House, as it was a committee bill formulated after hearings on other bills which had been thoroughly discussed before the House Committee on Agriculture. Accordingly, it seems particularly important that the Department express its position with regard to the meaning and effect of the bill as it now stands in the light of the report of the House Committee on Agriculture, and the discussion on the floor when the bill was considered by the House.

Section 1 contains findings with respect to humane methods in the slaughter of livestock and a statement of public policy which is self-explanatory.

Section 2 provides that no method of slaughtering or handling in connection with slaughtering shall be deemed to comply with the stated public policy unless it is humane, and then sets forth general descriptions of "methods of slaughtering and handling" which are "found to be humane." The description of these methods must be viewed in the light of their application to commercial slaughtering operations. One of the methods is that in which all animals are rendered insensible to pain by a single blow or gunshot before being shackled, hoisted, thrown, cast, or cut. No method is known which will render all animals insensible by a single blow or gunshot without failure from time to time during continuing operations. The knocking hammer, the mechanical stunner, and the captive bolt pistol are the three instruments involved. Any one of these when properly used will render an animal insensible to pain by a single blow or gunshot in most cases, but not in all, partly because of human error and partly because of the unpredictable movements of the animals. Other factors involve mechanical failures and such things as age and type of animal. It appears from the discussion of the bill in the House that the proponents of the bill believe that the use of the mechanical stunner and the captive bolt piston would be in accordance with the bill. As pointed out above in this paragraph, however, these instruments would not meet the standards set forth in the general description in paragraph (a) of section 2 of methods found to be humane, since these instruments do fail to stun some animals with a single blow. It also appears from the discussion that it is believed the knocking hammer would not comply with the bill. Of course, the knocking hammer has the same deficiencies as the mechanical stunner and the captive bolt pistol, although apparently to a somewhat greater degree.

Under paragraph (b) of section 2 of the bill, slaughtering in conformity with the ritual requirements of the Jewish faith is found to be humane. It appears from the language of this paragraph that the description of this method applies to slaughtering only and not to handling animals in connection with slaughter, in which case the handling of the animals would have to be in compliance with a method designated and approved by the Secretary under section 4 of the bill. During the discussion in the House, it was stated that the provisions of paragraph (b) of section 2 "are not intended to deny the Department of Agriculture the right and power to prohibit any form of shackling and hoisting of conscious animals" and that "it is not, however, intended to and does not give the Department of Agriculture any right or power to restrict or prevent the use of the Weinberg or revolving pen" (104 Congressional Record 1430, daily edition February 4, 1958). The Weinberg device is not used commercially in this country and this Department has no firsthand knowledge of its practicability in high speed plants. Nor does this Department have any firsthand knowledge of facts upon which to base a decision as to the humaneness of the use of this device. In order for the Department to designate and approve the Weinberg pen as a humane method of handling animals in connection with slaughter, therefore, it would be necessary to determine whether the device meets the criteria of the public policy set forth in the bill.

It is not clear what effect, if any, section 6 of the bill would have upon this situation. Section 6 provides that: "Nothing in this Act shall be construed to

prohibit, abridge, or in any way hinder the religious freedom of any person or group to slaughter *and prepare for the slaughter* of livestock in conformity with the practices and requirements of his religion". [Italic supplied.] In view of the language of sections 2 and 6 of the bill, the remarks made during the discussion of the bill in the House, and the lack of knowledge with respect to the Weinberg pen, it is difficult for this Department to determine what administrative action would be appropriate if this bill becomes law.

Section 3 of the bill was discussed at length in our letter of February 25 pointing out the detrimental effects that would attend enforcing its provisions.

Section 4 provides in paragraph (a) for research, investigation, and experimentation to develop and determine methods of slaughter and handling of livestock in connection with slaughter which are practicable with reference to the speed and scope of slaughtering operations and humane with reference to other existing methods and current scientific knowledge. This is a provision consistently supported by the Department.

Paragraph (b) of section 4 requires the Secretary to designate methods of slaughter and of handling in connection with slaughter which, with respect to each species of livestock, conform to the policy stated in the bill. Such designations would at specified times thereafter become effective with regard to the enforcement provisions of the bill. Presumably, the Secretary would make the designations on the basis of scientific knowledge already in existence or which may be developed through research, investigation, and experimentation. Actually, there is very little scientific knowledge currently available on the humanness of the various methods. The development of such knowledge must inevitably require a considerable expenditure of time and money and, like all such developments of knowledge, must be subject to constant evolution and revision. This is inconsistent with the requirement that certain methods must be specifically designated which then comply with the provisions of the bill and must necessarily acquire a fixed status, not readily changed as new knowledge is developed without great disruption and excessive costs to those who must change their facilities and procedures to comply with administrative orders issued from time to time under the bill.

During the discussions on the floor of the House the following portion of paragraph (b) of section 4 was quoted:

"On or before June 30, 1958, and at such times thereafter as he deems advisable, to designate methods of slaughter and of handling in connection with slaughter which, with respect to each species of livestock conform, to the policy stated herein."

And the following question was asked with respect thereto:

"Would the gentleman tell me what the policy stated herein is, that is to what that language refers?"

The following reply was made:

"It is stated in section 2. It says now that certain procedures are found by the Congress to be humane. We say that those stated in the Anfuso amendment, which we adopted, are humane. Any packinghouse may rely on that. If the owner of a packinghouse complies with these methods, he builds his plant in accordance therewith. He is not subject to variations of opinion on the part of the Secretary of Agriculture, because he knows that the Congress has stated that these things are humane, and they remain so regardless of changes in the personnel in the Department of Agriculture or changes of opinion there. The Secretary, however, may prescribe other methods that he may say are humane, but he cannot deny the things Congress has said are humane. So we do give the packing industry the stability that has been suggested does not exist. At the same time we give the Secretary the right and we give to this Commission the duty, to try to determine, as scientific knowledge advances, just what other additional methods are humane, that we might not have simply a static situation where we could not take advantage of the new developments of science but instead, as new developments appeared, we could take advantage of them, at the same time protecting the packinghouse investment in that type of method which is declared by the Congress to be humane."

However, under the enforcement provisions of the bill, section 3, no agency of the Government may purchase livestock products from a processor which slaughters, or handles in connection with slaughtering, livestock by any methods other than any methods designated and approved by the Secretary of Agriculture pursuant to section 4.

Paragraph (c) of section 4 provides that some suitable means be provided for identifying the carcasses of animals inspected and passed under the Meat Inspection Act that have been slaughtered in accordance with the public policy declared in the bill. The Department anticipates that a suitable means of identifying such carcasses would be to publish periodically in the Federal Register the identifying establishment numbers of those plants in which all animals are slaughtered and handled in accordance with the bill and whose affiliated plants also slaughter and handle animals in like manner. The identifying establishment number appears on each meat inspection brand and label. This would give notice to the public and to all governmental agencies as to the product then in commerce which could be purchased by agencies of the Federal Government in compliance with section 3 of the bill.

Section 5 providing for the appointment of an advisory committee is in accord with the Department's position, although it would be preferred that some flexibility in membership be allowed in the discretion of the Secretary as events may dictate.

This Department has a long and enviable record on the subject of humane handling of animals. Our control programs administer laws that have this objective and our laboratories are models for handling and care of laboratory animals. We have opposed humane slaughtering legislation of the kind contemplated in H. R. 8308 and its companion bill, S. 1497, not because of insensitivity to the need for care in handling animals, but because legislation such as that represented by these bills would impose unrealistic restrictions and impose on this Department impractical responsibilities.

We have favored legislation such as that contemplated in S. 1213, because under that bill the research, investigation, and experimentation can be entirely objective and decisions could be entirely responsive to scientific findings. We are of the opinion that under such circumstances there would be more encouragement for industry to make such changes as might be necessary in slaughtering methods with full confidence that the changes would accomplish a reasonable objective.

The Bureau of the Budget advises that there is no objection to the submission of this voluntary report.

Sincerely yours,

TRUE D. MORSE,
Acting Secretary.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE,
Washington, April 23, 1958.

HON. ALLEN J. ELLENDER,
*Chairman, Committee on Agriculture and Forestry,
United States Senate, Washington, D. C.*

DEAR MR. CHAIRMAN: We take the liberty of inviting your attention to this Department's interest—from the point of view of the enforcement of the Federal Food, Drug, and Cosmetic Act—in certain humane-slaughter bills now pending before your committee, i. e., H. R. 8308, as passed by the House, and S. 1497, together with an amendment thereto in the nature of a substitute intended to be proposed by Mr. Humphrey.

The purpose of these bills is to bring about humane methods of slaughter where not already used. H. R. 8308 and the proposed amendment to S. 1497 would do so by (1) declaring it to be the policy of the United States that the slaughtering of livestock (and the handling of livestock in connection with slaughter) shall be carried out only by humane methods; (2) stating a congressional finding that either of two described methods is humane; (3) permitting procurement of livestock products by Federal agencies only if the slaughterer or processor concerned uses methods designated and approved by the Secretary of Agriculture; and (4) requiring the Secretary to designate methods of which he approves with respect to the various species of livestock. S. 1497, as introduced, would make unlawful, in connection with interstate commerce, the slaughter of livestock or poultry by any method other than an approved method, as well as the painful handling of the animal in connection with slaughter.

The two methods of slaughter declared to be humane by H. R. 8308 and by the proposed amendment to S. 1497 are (1) rendering the animal insensible to pain by a single blow or gunshot "or an electrical, chemical, or other means" that is rapid and effective, before the animal is shackled, hoisted, thrown, cast, or cut, and

(2) certain methods of ritual slaughter. In the case of S. 1497 as introduced, an approved method of slaughter would be, in addition to ritual slaughter, any method which renders the animal insensible, before bleeding or slaughter, by "mechanical, electrical, chemical, or other means determined by the Secretary [of Agriculture] to be rapid, effective, and humane," except that, in the case of poultry, instantaneous decapitation would also be an approved method.

Electrical means for stunning or killing animals can result in the formation of toxic substances in the tissues of the beasts so treated. In that event, such tissue would be adulterated and unfit for human consumption. Furthermore, the killing of a beast or rendering it unconscious through the administration of drugs or chemicals can result in residues of these substances in the edible portions of the animal, thus causing those portions to be adulterated. Adulteration could, perhaps, also result from some of the other means that might be authorized by rendering the animal insensible.

We therefore, in the interest of the public health, recommend that the proposed legislation, if favorably considered by your committee, be amended to make clear that the legislation is not to be construed to exempt any meat or meat food product, or any person, from any requirement imposed by or pursuant to the Federal Food, Drug, and Cosmetic Act (21 U. S. C. 301 et seq.) or the Meat Inspection Act (21 U. S. C. 71 et seq.), and that any means designated or approved by the Secretary of Agriculture as appropriate for rendering animals insensible must not cause the edible portion of the animals to be adulterated or otherwise unfit for human consumption within the meaning of those acts.

In making this suggestion, we should like to make clear our belief that there are methods of slaughter which are practicable and humane and will have no adverse effect upon the wholesomeness of the edible flesh of the slaughtered animal and that the adoption of the above-suggested amendment would not obstruct achievement of the commendable objective of these bills.

Time has not permitted submission of this report to the Bureau of the Budget for advice as to the relationship of this bill to the program of the President.

Sincerely yours,

ELLIOTT L. RICHARDSON,
Acting Secretary.

(Statements filed for the record are as follows:)

OPENING STATEMENT BY SENATOR HUMPHREY

We are opening hearings on S. 1497, as amended, to establish the use of humane methods of slaughter of livestock as a policy of the United States. The language of the Senate bill as identical to H. R. 8308, as approved by the House of Representatives.

Before commencing these hearings, I want the record to show that similar hearings were conducted during the 2d session of the 84th Congress on S. 1636, legislation designed for the same purpose as the present bills. A limited number of copies of those printed hearings are available for committee members.

Two years ago both proponents and opponents of humane slaughter legislation outlined their case before a subcommittee of which I was chairman. After that hearing the subcommittee recommended favorably on passage of S. 1636. Later, in executive session, the full committee modified the measure and reported it favorably to the Senate in the form of a study bill. It passed the Senate, but no action was taken in the House before adjournment.

As a result, renewed efforts in the 85th Congress were started in the House, which has now completed enactment of the legislation before us. It is now once again up to the Senate.

I want to make clear that the House bill is already a compromise modified from originally introduced legislation. In order to expedite action, I amended the original version of S. 1497 to conform to the House bill, so in effect it is compromise legislation we now have before us. I feel it is important to note that fact in view of efforts likely to be made during these hearings to indicate this legislation is some drastic new move.

I feel it is important to keep in mind the historic context of this effort to achieve humane slaughter methods, so we are not stampeded now by the same arguments made continually in the past about "just a few more years" being needed to bring about such practices voluntarily.

That was the story given us in hearings 2 years ago. It resulted in legislation being modified to a study bill at that time. While the bill never became law, there-

was nothing to prevent the meatpacking industry and the Department of Agriculture—both of which had asked for more time for research—from going right ahead with their voluntary efforts. I hope this hearing will show that was done. I hope it will not bring forth more demands for delay.

For the record, this hearing is before the full committee. I am merely acting as chairman in the absence of Chairman Ellender. The measure before us has already been favorably reported by the subcommittee of which I am chairman.

Before proceeding with testimony, I would like to read just a few paragraphs from my opening statement to the hearings on May 9, 1956. The same sentiments are in order today. At that time I said, in part:

"There will undoubtedly be great differences of opinion among witnesses participating, and all will be given fair opportunity to be heard. Regardless of differences over methods, however, I am extremely hopeful that all of us can agree on the objective of seeking improved and more humane practices than now exist in far too many instances.

"We Americans are inherently a humane and compassionate people. I think this is one of our great attributes and one of our truly sterling qualities.

"We abhor cruelty in any form. We dislike to see suffering, whether human or animal. It is therefore in the best American tradition to seek to eliminate as much cruelty, hardship, and suffering as we can.

"Whenever we shut our eyes to cruelty and suffering whether among people or among animals, we are shutting out part of the spirit that has made America great, and makes us stand apart in the world as a nation that puts moral principles and decency above sheer material value.

"It was in that spirit that I originally introduced the humane slaughter legislation, more than a year ago, publicly recognizing a problem which hundreds of dedicated people have been working for years to correct.

* * * * *

"In all fairness I want to say that my views are no secret. I do not want to see the American meatpacking industry lag behind any other area of the world in humane practices. It surely does not lag behind in its fine management, in its excellence of processing, and in its splendid practices of competitive enterprise.

"I do not want to see any unnecessary cruelty inflicted upon animals anywhere in the meatpacking or slaughtering process. I think most of the American people feel that way.

"Some of our packing plants deserve genuine commendation for pioneering with more humane practices of slaughtering. I am hopeful that all others will soon be joining them.

"In any event, I feel these hearings can serve a useful purpose of reviewing this entire situation carefully to see what can be done about expediting such progress.

"I know that some people who agree with the objective oppose the idea of compulsion to obtain it. And may I say that I surely respect their point of view and indeed their right to hold that point of view.

"I might remind them that in our country Government compulsion or regulation in any form is usually the result of neglect of individuals or enterprises to make voluntarily the reforms the public interest demands."

CHICAGO, ILL., April 24, 1958.

HON. HUBERT H. HUMPHREY,
*Committee on Agriculture and Forestry,
Senate Office Building, Washington, D. C.*

DEAR SENATOR HUMPHREY: Enclosed is a copy of a resolution passed by this general board of the Methodist Church. The board represents 10 million Methodists in the field of social action and is composed of people of various points of view from around the entire United States.

We are solidly supporting legislation to provide more humane methods for the slaughtering of meat animals.

With best regards, I am

Very truly yours,

A. DUDLEY WARD,
*General Secretary, Board of Social and
Economic Relations, the Methodist Church.*

RESOLUTION CONCERNING SLAUGHTER OF MEAT ANIMALS BY BOARD OF SOCIAL AND ECONOMIC RELATIONS OF THE METHODIST CHURCH

Whereas various bills on the subject of humane slaughter of meat animals have been introduced in the Congress of the United States dealing with several phases of this question and representing different points of view, some of which have been presented in the interest of those friendly to the packers and recommending delay and nonaction, and whereas Senate bill 1497 has been introduced and sponsored by Senators Hubert Humphrey of Minnesota, Richard L. Neuberger of Oregon, Democrats, and William A. Purtell of Connecticut, Republican, making humane methods mandatory but granting a 2-year delay to give the packingplants plenty of time to convert, with House bill H. R. 8308 also having been presented as a compromise and having been adopted by the House on February 4, 1958, and

Whereas those numbered as favorable to humane slaughter of meat animals are the General Federation of Women's Clubs, the St. Louis Post Dispatch in its editorials, the Congregational Churches of Connecticut, the National Farmers Union, various units of the Association of Business & Professional Women, the Catholic War Veterans, the American Legion and other groups, the two big packinghouse workers' unions, the Amalgamated Meat Cutters and Butchers Workmen of North America, AFL-CIO, and very significantly, the United Packinghouse Workers of America, AFL-CIO, and several companies have introduced humane methods of slaughtering.

Whereas at the hearing before the House of Representatives Agriculture Committee this year and the Senate Committee last year, not one Christian religious organization as such was on hand to plead for passage of these bills: Therefore be it

Resolved by the General Board of Social and Economic Relations of the Methodist Church

First. This board opposes a widespread situation in this country where millions of meat animals for American tables are slaughtered every year under conditions of unthinkable brutality.

Second. We strongly urge increasing use of humane slaughtering methods which have long been in use in Britain, Holland, Switzerland, in all the Scandinavian countries, and also in New Zealand and the Fiji Islands and we commend the several American packingplants which have employed such methods, the use of anaesthetics, a captive-bolt pistol.

Third. We protest the delay in dealing with such a situation and call upon the Congress to enact at once the legislation necessary to correct the present situation and to insure humane slaughtering methods in the packingplants of the United States. Such bills as Senate bill No. 1497 and House bill No. 8308 are samples of the legislation required.

MEMORANDUM ON POSSIBLE ECONOMIC EFFECTS OF S. 1497, WITH PARTICULAR REFERENCE TO FACTORS AFFECTING LIVESTOCK GROWERS AND SMALL PACKERS

(Prepared by the Humane Society of the United States, Washington, D. C.)

Enactment of S. 1497, a humane slaughter bill pending in the Senate (or enactment of H. R. 8308, an identical bill already approved by the House of Representatives) would impose no hardship on the packing industry. The great majority of small packers would be unaffected by the legislation.

The law could have only a very small effect on prices paid to livestock growers for animals but such influence as could be exerted would be in the direction of higher prices. This result would be achieved by diminishing wastage of meat in processing and manufacturing.

Facts that support these conclusions are set forth below.

GENERAL FACTORS INVOLVING PACKERS

Some knowledge of methods of slaughtering animals in commercial packing plants is a prerequisite for understanding of the economic effects of those methods. The present common method of slaughtering swine, for example, causes a wastage of more than \$100 million a year in damaged meat.¹

¹The animal husbandry department of the University of Minnesota found that in one Minnesota packing plant (typical), 97 percent of hams on which shackles had been used were damaged and the average loss in meat was \$1.50 per animal. Loss in that single plant was estimated at \$3 million per year. (Farm Journal and Country Gentleman, October 1955).

Descriptions of all of the currently practiced methods of slaughtering animals, both humane and inhumane, will be found in the transcripts of Senate² and House³ hearings on the proposed humane slaughter legislation.

The best evidence that humane methods of slaughter are practical and economical is the record of experience in plants that are using these improved methods.

In 1952 George A. Hormel & Co., instituted in its plant at Austin, Minn., a method of anesthetizing hogs with carbon dioxide gas before the hogs were shackled. The hogs remain under anesthesia until stuck and bled. Results were so spectacularly successful that Hormel subsequently converted all of its plants to the carbon dioxide technique.

The company has actually saved money through elimination of damage to meat, a lowered personnel accident rate, and lower labor turnover. L. W. Murphy, of the Hormel engineering division, says that results have proved that conventional shackling is the major cause of internal ham bruising. Murphy estimates that humane methods of handling hogs have reduced internal bruising by 90 percent.⁴

The carbon dioxide method also achieves other savings. For example, blood recovery in the Hormel plant at Fremont, Nebr., is 0.3 pound more per hog than formerly.

On the strength of the Hormel experience, two other large packers also have adopted the carbon dioxide techniques—the Kingan division of Hygrade Food Products Corp., and the Oscar Mayer Co. It is notable that the three companies that have adopted this humane method are among the best profitmakers in the packing industry.

Is the carbon dioxide method too costly for use by other packers? Is the capital investment beyond the capability of smaller packers?

Murphy told a Senate committee⁵ that installation in Austin cost \$200,000, including trial and error and including remodeling of buildings. Other packers will not have to endure Hormel's trial and error and few would find it necessary to remodel buildings to install a carbon dioxide unit. A unit like that at Austin costs only approximately \$55,000. But suppose, for discussion, that the total cost of installation in all plants operating at approximately the Hormel rate of production (2,250,000 hogs per year in Austin) were \$200,000 per plant.

A unit of the type in operation in Austin may be expected to serve for approximately 20 years with only routine maintenance costs. Book depreciation, therefore, would be \$10,000 per year. To this, as a cost, might be added interest on the investment (at 6 percent) of an average of \$6,000 per year over the 20 years. In a plant operating at the Hormel rate, the cost of the capital investment, per hog, would be about 0.009 cents.

In smaller plants, no such investment as that in the Hormel plants is necessary.

Packers need not use the carbon dioxide method of immobilizing animals. A variety of tested and proved humane methods are available with almost no investment in equipment. Remington Arms Co., manufacturers a stunning instrument, costing only \$400, that will immobilize a hog and make it instantly insensible to pain, without damage to hide or carcass. Packers may also use the Schermer stunner or any of several brands of widely used captive-bolt pistols. None of these instruments costs more than \$200. Many small packers already use ordinary .22 caliber pistols or rifles on hogs and such a practice fully complies with the provisions of S. 1497 and H. R. 8308.

Cartridges for the various types of stunning instruments costs approximately 2.5 cents per animal. But by eliminating the shackling and hoisting of conscious and struggling animals, they also achieve the same economy, by eliminating waste of damaged meat, that is achieved by Hormel, Kingan, and Oscar Mayer with their carbon dioxide installations. The net result is a profit, not a loss.

But small packers can also use carbon dioxide. The Allbright-Nell Co., of Chicago, licensee under Hormel patents, has said that it can market a carbon dioxide unit, able to process 210 hogs per hour, for \$25,500.⁶ A Danish manufacturer, Wernberg & Kragh, working in cooperation with Hormel and with Allbright-Nell, has developed and is marketing in Europe a unit that will process 250 hogs per hour and the Danish company has said that it can deliver its unit

² Humane Slaughtering of Livestock and Poultry, hearings before a subcommittee of the Committee on Agriculture and Forestry, U. S. Senate, May 9-10, 1956.

³ Humane Slaughter, hearings before Subcommittee on Livestock and Feed Grains of Committee on Agriculture, U. S. House of Representatives, April 2 and 12, 1957.

⁴ National Provisioner, April 14, 1956.

⁵ Senate committee hearings, cited above.

⁶ Letter from Allbright-Nell Co., Senate hearings, 1956, cited above.

in the United States for less than \$6,000. For any packer processing 250 hogs per hour, this is a small investment which could have no appreciable effect on total plant costs or profits.

Operation of the carbon dioxide units is inexpensive. The gas costs a very small fraction of a cent per animal. The only other operating costs are electric power for a conveyor belt and routine maintenance of the equipment.

Emphasis has been placed on facts about hog slaughter because most meat packers seem to have come to agreement that there is no economic objection to humane slaughter of cattle. Since introduction of the first humane slaughter bill in the Senate, in 1955, humane methods of killing cattle have been adopted by a dozen or more of the biggest packers and by many more small packers.

At least 20 million animals a year are now benefiting from these improved methods and the packers using humane methods find that the new techniques are efficient and economical. Users include Swift, Armour, Wilson, Oscar Mayer, Hormel, and many smaller companies. The Remington stunning instrument, Schermer stunner, and several captive-bolt pistols are being found equally effective and economical in various plants.

The experience of the Seitz Packing Co., St. Joseph, Mo. is typical among smaller packers. E. Y. Lingle, president of Seitz, has said that with the captive-bolt pistol "our results are better—our operation more efficient—our end product is improved."⁷ Mr. Lingle reported that in his plant the captive-bolt pistol has decreased costly injuries to workmen, has almost eliminated losses due to "stiff" cattle, and has improved carcass quality by improved bleeding.

A few packers have contended that use of the captive-bolt pistol causes degeneration of brain and therefore causes an economic loss. That argument does not apply to use of the Remington stunner, which does not penetrate the skull or even break the hide. In any case, however, it is to be noted that less than 10 percent of beef brain presently available is marketed as food. The damage to brain, if any, is so small as to be immeasurable in economic results.

In conclusion, it is significant that still more methods of satisfying the requirements of humane slaughter legislation are in active development but probably will not be brought into use if legislation is not enacted. One large company is preparing for market an animal stunner actuated by compressed air. Such a device would eliminate the cost of explosive cartridges. Another company is working on a new technique of electric stunning that would eliminate objections to older electric equipment.

It is obvious that even the very smallest plants can afford to use humane methods of slaughtering animals. They will, in fact, gain actual profit from their use.

SPECIFIC FACTORS AFFECTING SMALL PACKERS

The pending legislation does not require all packers to adopt humane methods of slaughter. S. 1497 and H. R. 8308 would affect only packers and processors that sell meat or meat products to the Federal Government.

There are approximately 3,250 livestock slaughtering establishments that process, each, more than 300,000 pounds of meat per year.⁸ There seems to be no reliable count of the number of plants processing at a rate lower than 300,000 pounds per year. The number runs, however, to several thousand establishments.

But there are only 517 slaughtering plants and 766 processors under Federal inspection.⁹ Government procurement agencies ordinarily buy meat and meat products only from plants that are federally inspected so it is obvious that only a minority of slaughtering plants and processors will be affected by the proposed legislation. The smaller plants—the majority—will be unaffected because they neither do nor can sell to the Federal Government.

FACTORS AFFECTING LIVESTOCK GROWERS

In the past there has been virtually no correlation between packing plant operating costs and the prices paid for animals to livestock growers. Over a long period in which the costs of packinghouse operation have risen slowly but steadily, following the general pattern of processing and manufacturing industries, the price paid to farmers for livestock has fluctuated widely.¹⁰

⁷ Senate committee hearings, 1956, cited above.

⁸ Figure supplied by Market News Service, Department of Agriculture.

⁹ Figures supplied by Bureau of Meat Inspection of Department of Agriculture, 1958.

¹⁰ Beef Marketing Margins and Costs, U. S. Department of Agriculture (Miscellaneous Publication No. 710), 1956.

All expert students of livestock marketing know, as a matter of fact, that the price paid to growers for animals results from a great many factors, among which the cost of packing plant operation is almost the least. "The value of byproducts and the wholesale value of the dressed carcasses," says the Department of Agriculture, "is what determines the price of the meatpacker will pay for a live animal."¹⁰

And the wholesale value of the dressed carcass and of byproducts is determined, not by plant operating costs but by a complex of much more influential factors, including "amounts and distribution of income among consumers; conditions under which the product is marketed; restrictions on production, marketing, storage, etc."¹¹

In short, it is highly doubtful that any economic effect of humane slaughter legislation on packers would be felt by livestock growers.

It has been shown above, however, that the principal economic effect of adoption of humane methods of slaughtering animals is a saving of meat that is damaged and wasted by traditional methods. It also has been shown that humane methods achieve other savings in packing plant costs.

Any influence on prices paid to livestock growers for animals, therefore, would be in the direction of higher prices at the farm.

SUMMARY

The inescapable conclusions from the facts are:

1. Humane methods of slaughtering animals achieve substantial economies through decreased waste of meat, improved labor efficiency, and decreased personnel accident rate;
2. Capital costs of initiating humane techniques are not burdensome to packers and in small plants will amount to only a few hundred dollars;
3. Fewer than 20 percent of packing plants will be affected by S. 1497 or H. R. 8308 and these are chiefly the very large packers;
4. It is extremely unlikely that the proposed legislation can have any economic effect on livestock producers but such effect as might occur would be in the direction of higher prices to growers.

UNITED STATES SENATE,
Washington, D. C., March 22, 1958.

LEO PFEFFER, Esq.,

Associate General Counsel, American Jewish Congress, New York, N. Y.

DEAR MR. PFEFFER: I am writing to express my own personal gratitude to you and to the five leading Jewish organizations cooperating with you on the above matter for the splendid way in which you have assisted me, and Members of the House of Representatives, in working out a solution of the delicate problem of humane slaughter legislation that fully and effectively protects Jewish religious slaughtering practices. I think you have all done a magnificent job in assisting us to draft legislation that would beyond question protect Jewish religious slaughtering practices and would at the same time insure the humane treatment of animals on which those practices are based in the slaughter of animals for food by other methods of slaughter as well.

I realize that the task has been far from an easy one and that it is virtually impossible to expect unanimity on the part of the Jewish community in so sensitive a matter. I do want to record, however, my own conviction that the amendments to the Poage bill which you were able to work out with the humane societies, and which were accepted by the House committee and enacted by the House, fully protect Jewish religious slaughtering and handling of animals, (1) by the express congressional recognition of kosher slaughter as humane, and (2) by the provision of the new section VI prohibiting any construction of the legislation which might in any way interfere with religious slaughter or preparation for slaughter.

It is my considered judgment that those groups in the Jewish community who contend that possible future legislative attempts to impinge upon Jewish religious slaughter practices would be less likely to succeed if there were no humane slaughter legislation at all than if the bill which has been passed by the House is

¹¹ Highlights of Agricultural Research, Alabama Polytechnic Institute, vol. 1, No. 2, 1954.

enacted are, with all due respect, in error. It seems to me not only obvious but beyond dispute that it will be far more difficult for any future Congress to attempt to interfere with kosher slaughter practices in the face of the express congressional finding and recognition of kosher slaughter as humane contained in the amended Poage bill and in the legislative history written on it than it would be if there were no such express legislative recognition and history. And if it had not been for your efforts and those of your colleagues, I am wholly convinced that humane slaughter legislation would have been passed over the opposition of the Jewish community and would not have contained the effective safeguards of kosher slaughter practices that your efforts have succeeded in writing into the Poage bill.

I also want to acknowledge the copy I have received of the February 20, 1958, letter of your five organizations to Chairman Poage of the House committee, and to record to you my own understanding of the meaning and intent of the Poage bill as enacted by the House with respect to handling of animals prior to kosher slaughter, in light of its legislative history in the House debate, including your letter of January 29, 1958, to Mr. Poage, which he introduced into the Record in the debate, and his ensuing remarks agreeing with your views as expressed therein.

To be specific, I feel there is no doubt whatever that the clear and correct interpretation of the bill in this respect, as clarified on the floor of the House, is—

(1) that animals must be handled in a humane manner prior to kosher slaughter;

(2) that any inhumane method of handling animals prior to kosher slaughter may be restricted or prohibited by the Secretary of Agriculture effective on and after December 31, 1959, including those forms of shackling and hoisting which are not humane;

(3) that any forms of shackling or hoisting of animals or other methods of handling prior to kosher slaughter which are not inhumane may not be restricted or prohibited by the Secretary; and

(4) that use of the Weinberg or revolving pen for casting animals prior to kosher slaughter is a humane method of handling and may not be restricted or prohibited by the Secretary as inhumane.

Such an interpretation of the bill, as to which I feel there is no question and which I shall be glad to record on the Senate side, both in committee and on the floor, should fully satisfy your organizations and any others in the Jewish community who fear that enactment of the Poage bill by the Congress would be a practical matter immediately make kosher slaughter impossible. That is plainly neither its intent nor its language. I am confident that Congressman Poage agrees completely with this interpretation. I assure you that I shall do everything in my power to have the legislative history of the bill in the Senate record this legislative intent so there will be no doubt about the correct meaning of the legislation.

I trust that this explanation will allay some of the fears in this regard which have been expressed to me and will further reassure your organizations and the entire Jewish community that the amended Poage bill, if enacted into law, will preserve and protect kosher slaughter practices, and not harm them. Again with my gratitude for your help and your contributions to a sound solution of a most difficult and vexing problem.

Sincerely yours,

HUBERT H. HUMPHREY.

UNITED STATES SENATE,
Washington, D. C., March 22, 1958.

Hon. W. R. POAGE,

House of Representatives, Washington, D. C.

DEAR CONGRESSMAN POAGE: As you know, there has been considerable concern expressed in the Jewish community subsequent to the House debate on humane slaughter. Several people have been in to see me, voicing various fears which I have assured them were exaggerated. After considerable thought, it seems to me that the most helpful thing I can do here is to send the attached letter in an effort to rectify any misinterpretation which some groups may have of the bill which was passed by the House. I have tried to express what I believed to be the correct intention and interpretation of the House bill.

I have not mailed the original of this letter, because I wanted you to see it first. I am hopeful that you will agree that it correctly expresses your position and the House intent. After you have had a chance to look this over, perhaps you might give me your reaction over the phone.

Many thanks for your attention, and congratulations on the successful job you did in handling this bill.

Best wishes.

Sincerely yours,

HUBERT H. HUMPHREY.

HOUSE OF REPRESENTATIVES,
Washington, D. C., March 25, 1958.

HON. HUBERT H. HUMPHREY,
United States Senator,
Washington, D. C.

DEAR SENATOR HUMPHREY: Your letter of March 22 to Hon. Leo Pfeffer was, in my opinion, a very fine, very clear, and very excellent statement of the effect of the pending legislation on humane slaughter. I would not want to change the interpretation which you placed on this bill. I have met with, and talked with, Mr. Pfeffer on several occasions. I think he has made a very serious and very helpful effort to allay some of the fears of some segments of the Jewish community in regard to this legislation. It seems to me that your letter to him should satisfy all of those who can be satisfied.

I was particularly impressed with the clear and effective way in which you pointed out that in the absence of legislation of the type you and I are trying to get that it will probably be far more likely that the Congress will pass some type of punitive legislation completely ignoring the legitimate requests of our Jewish citizens. I think this would be unfortunate, but I think it is likewise inevitable. On the other hand, by the acceptance of the Jewish leaders of the very moderate legislation that we are proposing this ill feeling can be avoided. Mr. Pfeffer continues to do everything he can to avoid any such unfortunate result. I am hopeful that you will find it possible to secure favorable committee and Senate action on this measure in the near future.

Thanking you for your good work, and with best wishes, I am,

Yours sincerely,

W. R. POAGE, *Congressman.*

Senator TALMADGE. We are delighted to have as our first witness the distinguished junior Senator from the State of Oregon, Senator Neuberger.

You may proceed at will.

STATEMENT OF HON. RICHARD L. NEUBERGER, A UNITED STATES SENATOR FROM THE STATE OF OREGON

Senator NEUBERGER. Mr. Chairman, thank you very much for your courtesy in permitting me to be the leadoff witness on these hearings.

I am especially grateful to you. We are what you might call hall-mates. Our offices are across the hall from each other.

I hope very much that the bill which I am going to advocate this morning will have the sympathetic consideration of you and your colleagues. I have been most sincerely interested in the enactment of humane slaughter legislation since my esteemed colleague, the junior Senator from Minnesota, Senator Humphrey, first introduced such a bill in 1955.

As a cosponsor, I have testified before on the need for enactment of a compulsory measure. I was encouraged when the House passed the Poage bill on February 4, 1958. Since then, S. 1497 has been amended and is now identical to the House measure, H. R. 8308.

As you know, Senator Humphrey moved on the Senate floor to have his bill made identical with that which the House of Representatives

passed earlier. It is this bill of which I am privileged to be a co-sponsor.

I intend to be brief this morning, as I have been informed that a great many people have asked to be heard in support of the humane slaughter bills and time for each, I fear, will be stringently reduced.

In previous testimony I have covered the economic and technological aspects of this legislation, and I will not refer further to those phases except to note that both large and small packing plants are to be found among those which are making efficient and profitable use of the latest technological devices to assure a humane slaughter operation.

I prefer to focus my remarks on what may be termed "the moral values" involved in this legislation.

There are three generally accepted and very basic points upon which the mass support for S. 1497 and H. R. 8308 rests. They are as follows:

1. Slaughter methods now almost universally used in American packing plants cause intense suffering and are grossly cruel;

2. Practical and economical methods of killing animals humanely are available;

3. It appears that the packing industry cannot or will not end the cruelty without legislation that will require all packers to act simultaneously.

I am deeply impressed by a statement on this subject by the General Federation of Women's Clubs, a federation of 15,000 organizations with more than 11 million members.

All thoughtful persons recognize—

the General Federation of Women's Clubs says—

that cruelty is an evil that should be eradicated from our society, not merely for the sake of animals but for our own good. We know that cruelty, whether to animals or to men, causes in the perpetrator a moral and cultural erosion that is harmful to the whole of society.

Cruelty to animals in our slaughterhouses has been thus far permitted only because, it is argued, cruelty is cheaper than decency. The immorality of the argument is obvious.

I sometimes think that a century or two hence our descendants, on hearing of our accepted practices in slaughterhouses, will look back upon the 20th century with the same mingled feelings of dismay, abhorrence, and incredulity we experience on reading of convivial crowds at a public execution 200 years ago.

If there is any doubt about that, Mr. Chairman, I would suggest that people read the writings, for example, of Theodore Roosevelt and his abhorrence of what was done to the vast buffalo herds numbering some 60 million when they were slaughtered absolutely, indiscriminately, and ruthlessly just for sport in the years when the Great Plains and the prairie were first being settled.

It is the voices of the Humane Society of the United States, the American Humane Association, the General Federation of Women's Clubs, and many similar groups which have awakened the American conscience to these contemporary cruelties. Traditionally the humanitarian measures that have one by one become our great body of social legislation have followed the voices of persistent protest which stirred to life a national conscience.

The tender attitudes of a generation conditioned by Beautiful Joe and Black Beauty, and the tears shed over Ernest Thompson Seton's

animal martyrs were in sharp contrast to their failure to hear the slaughterhouse squeals of pain.

We have taken for granted that the eighth amendment of our Constitution prohibits infliction of cruel and unusual punishment upon our citizens. Today the national conscience is asking why we subject our animal friends to such cruel and inhumane treatment. These animals are not only our friends, but the foundation of our abundant agricultural economy. In my opinion, there is no reason why meatpackers cannot slaughter meat animals by humane methods.

If the farmers of this Nation humanely treat animals while they are alive, throughout the period of their growth, and handle them to avoid injury and fear, why is it necessary to subject these animals to such primitive and cruel treatment for the few moments before they are killed and transformed into meat and meat products?

Mr. Chairman, I have talked with many of the men who work in slaughterhouses, both in my own State and elsewhere in the Nation. These men, so far as I have been able to observe, are among the strong and zealous opponents of some of the inhumane methods presently employed in slaughterhouses. They rebel against inflicting pain upon helpless animals, which form the meat products of the Nation and thus support the jobs on which these men are dependent. But the workers in slaughterhouses are not in control of the policy of those plants. They did not design the cruel front end of the production line. They cannot institute new methods of slaughter, unless their employers so dictate and decide.

I have had members of the Butcher Workers' Union observe to me, "We realize that cruel ways of slaughter will only hurt the meat industry and promote vegetarianism among Americans. We believe that every possible humane method of killing should be used by slaughterhouses, just as soon as it is developed."

I have emphasized this point, Mr. Chairman, because it is my firm and definite opinion that the men working in our slaughterhouses are, in the main, among the foremost advocates of adopting every available humane device for cushioning and quelling any possible pain inflicted upon the animals which are slaughtered to stock the tables and markets of America.

Many modern and humane killing methods have been developed and adopted by some progressive meatpackers which have proven to lower costs and provide higher profits to these meatpackers. These practices have reduced bruising losses, increased labor efficiency, reduced the danger to workers as well as providing a humane death to livestock. Yet the majority of meatpackers are reluctant to adopt these humane methods which are readily available to the industry. That the vast majority of meatpackers have not installed humane methods available to them at very low cost is the major reason why I feel that this legislation is needed.

I am inclined to believe that the representatives of meatpackers oppose this bill because of their habitual opposition to all Federal and State legislation which may in the slightest degree restrict their operations, even though it may be of vital interest to the public welfare. Strange as it may seem, this is an old pattern of industrial reflex action. And I want to add it is not only confined to the meatpacking industry but to many other industries as well.

The National Provisioner of March 1955 stated editorially:

During the next few years the meatpacking industry may face a controversy with which it will be difficult to deal from the standpoints of logic and reason. It may be forced to talk aspects of its business from which, understandably, it has shielded the public.

That editorial echoed the troubled conscience of a great industry. It is my opinion, Mr. Chairman, that the meatpacking industry has been remiss in the development and adoption of humane methods of slaughtering the Nation's livestock. The meat inspection laws promulgated by the Department of Agriculture under laws passed by the Congress of the United States specify the necessary height of the rail in which animal carcasses move through slaughtering plants.

We have also passed laws to prohibit the inhumane cruelty to animals on their way to market. I can see no reason why the Congress should not specify humane standards of killing livestock and poultry, in order to comply with the moral standards of decency and humanness which are so much a part of the great heritage of the United States.

Mr. Chairman, I realize that in addition to other opposition to humane slaughter legislation, a troublesome issue is raised concerning its impact upon and relationship to the killing of food animals under religious dietary practices, particularly those of the orthodox Jewish religion. In their opposition, representatives of the orthodox Jewish congregations have spoken both of the great difficulties of insuring, by governmental regulation, any real certainty of humane methods of animal slaughter, and also of their more direct concerns for the status of orthodox practices.

As to the first, their doubts do not differ from those expressed by others about the effectiveness of Government regulation in this field, and the same answer applies. If more research is needed to permit the Department of Agriculture to specify humane techniques with any degree of certainty, then let the Department push forward with such research. The important thing is that governmental responsibility for attaining this goal be definitely established and accepted.

With respect to the specifically religious objections to the bill, I can only say that I fully and sympathetically appreciate the legitimate concern with which they are put forward; but upon considering them fully, I do not believe that they are so unsurmountable as to force the total abandonment of all legislative effort to establish the principle of governmental responsibility for humane methods of slaughter to which I have referred.

Certainly Representative Poage, Senator Humphrey, and everyone else joins us in being concerned with this question, are wholly sympathetic to protecting religious customs under this legislation, and I hope that the religious spokesmen themselves will devote their continued efforts to working out a solution consistent with the premise of a regulatory program for the vast bulk of commercial animal slaughter other than their own, rather than on the premise of completely opposing that whole premise. I stress this, because no collateral arguments should be used or allowed to thwart enactment of a measure with so humane and worthy an objective.

I want to add this, Mr. Chairman. I am one of the two Members of the Senate, I believe, who are members of the Jewish religion. It

is my opinion that the objections which have been voiced by certain orthodox Jewish leaders to this legislation are certainly voiced in good faith and with the best of intentions. And yet it is my considered opinion, after hearing all of those objections and listening to them very conscientiously, that this legislation should be passed.

I believe it is in the interest of humanity, I believe it is in the interests of the people of the United States because I believe that the present methods of slaughter in our packinghouses should not be continued. And I prefer to believe that when all things done on earth are sifted out before the Throne of Judgment that cruelty to animals, whether animals that are pets or animals that are to be slaughtered for meat, is not something that is going to be accepted at that ultimate tribunal.

In conclusion, Mr. Chairman, allow me to offer two observations. First, over the past several years research study on this subject has provided demonstrable results on which legislation may be logically and soundly based. Second, the experience of the progressive and energetic minority among the packers who have introduced to the production line the new techniques required for humane methods of slaughter demonstrates its applicability in plants of any and all sizes.

Mr. Chairman, one would think that on the grounds of enlightened, humanitarian performance or on the more practical grounds of economy and efficiency of operation, only support and affirmation would be heard in the plea for adoption of humane slaughter legislation.

In conclusion, I would like to submit a number of letters from constituents who have written in support of humane slaughter legislation and in addition a letter written by Rabbi William Richman of the Madison Avenue Temple, Scranton, Pa., which appeared in the *Reconstructionist* for April 8, 1958.

It is significant, I think, that Rabbi Richman supports the pending legislation. In order to be completely fair I would also submit the only two statements which I have received from my own State of Oregon in opposition to this proposed legislation. These are a letter from the Marion County Farm Bureau and a statement from the secretary of the Oregon Wool Growers Association.

With your indulgence, Mr. Chairman, I would like to ask that this correspondence appear with my statement in the record.

Senator TALMADGE. Without objection, it will be made a part of the record.

(The letters follow:)

ROGUE RIVER, OREG., *March 3, 1958.*

DEAR SIR: We would like to urge you most strongly to do all in your power toward the passing of the humane slaughter bill, No. 8308, soon to come before the Senate.

All the members of our civic club and garden club hope you will work to get it passed, and enforced after it is passed.

Thank you.

Mrs. CLAYTON FIELDS.

KLAMATH FALLS, OREG., *Feb. 7, 1958.*

DEAR SIR: Would you please vote for the compulsory humane slaughter bills, now pending? (H. R. 8308 in the House of Representatives, S. 1497 in the Senate.)

I was frankly shocked when told by a friend how the animals are killed in our slaughterhouses.

I think and hope this urgent bill will be passed as I do think it terrible these animals have to suffer unnecessarily when they can be put unconscious first before being slaughtered.

Thank you, and I certainly hope this bill passes.

Yours truly,

NOEL DEETS.

PORTLAND, OREG., *December 11, 1958.*

SENATOR RICHARD NEUBERGER,
United States Senate,
Washington, D. C.

DEAR SENATOR: I saw the enclosed clipping in the *Christian Science Monitor* just recently.

I was rather surprised when I read it, as I thought that there had already been passed a bill, forcing humane slaughtering to feed animals. I know that you are all for this bill.

It is a pity, that we are supposed to be a Christian nation, and to allow animals slaughtered in this manner, I don't think that it speaks very well for us.

I do appreciate you, Senator Neuberger.

Sincerely,

FRANCES L. LIND.

(The above-mentioned enclosure from the *Christian Science Monitor* dated January 4, 1958, follows:)

HUMANE SLAUGHTERING

To The Christian Science Monitor:

I am writing you about humane slaughter of our food animals. We have many thousand of packinghouses in this country and I know of only six which give a humane death, without suffering, to our meat animals. One anesthetizes hogs by passing them through a carbon dioxide tunnel, another stuns cattle with a captive bolt pistol, etc.

Almost 7 million animals are slaughtered every working day and the great majority have a cruel and terrifying death. Cattle sometimes must be hit several times before being rendered unconscious. Hogs and other small animals are shackled and put to death while entirely conscious.

Humane slaughter legislation would require that all livestock and poultry be rendered insensible by mechanical, chemical, or other means, to be rapid, effective, and humane. Such legislation, when enforced, would save the packers \$50 million annually a loss they sustain through bruising and mutilating meat animals. Letters to our representatives in Washington should help to get this legislation passed.

GEORGE A. GRASS.

DETROIT

PORTLAND, OREG., *February 26, 1958.*

SENATOR NEUBERGER,
Senate Office Building, Washington, D. C.

MY DEAR SENATOR NEUBERGER: Knowing how often you have supported progressive and humane legislation, I am writing to urge your support of the humane slaughter bill which was passed by the House (H. R. 8308) on February 4. It is difficult to see how any logical objections can be raised against this bill, and there seems to be no political reasons for any Senator to vote against it. Speaking "for those who cannot speak for themselves," I do most strongly urge your favorable vote for this legislation, which is directed toward better conditions not only for those thousands of animals who must be slaughtered for food but also for the men who must do the work involved.

Yours most sincerely,

(Mrs.) NETTA W. WILSON.

ASTORIA, OREG., April 7, 1958.

HON. RICHARD NEUBERGER,
United States Senate,
Senate Office Building, Washington, D. C.

DEAR SENATOR NEUBERGER: We are very much concerned about the fact that no action has yet been taken by the Senate Committee on Agriculture and Forestry on humane slaughter legislation. We would greatly appreciate your requesting this committee to act promptly on the following bills:

H. R. 8303 (passed by the House of Representatives on February 4, 1958).

S. 1496, identical with the House bills.

We hope that you will vote for these bills. Do not vote for another bill which merely calls for a study commission on humane slaughter and which is sponsored by a number of meatpackers.

This is not only a case for humanitarians but also for the prestige of the United States which lags behind many European countries in its slaughterhouse methods.

We shall be most grateful for your support and immediate action.

Very truly yours,

JAMES BEAMER,
Mrs. CECILE BEALIER.

[From the Reconstructionist, April 18, 1958]

To the Editors of the Reconstructionist:

In your editorial of February 21 issue, comment was made on the humane slaughter bill. Various aspects about the bill and the reactions to it lead me to write this letter. I read the original bill and the deliberations on it very carefully. I am also informed about the amended bill as passed in the House. I am also aware of various newspaper and magazine articles in Jewish circles reacting to the bill.

My conclusions are these:

1. The bill in its original and its amended form had no anti-Semitic nor anti-kashrut implications. The implications imputed to it on the part of some Jewish leaders are not in the bill. It may be historically correct, as some Orthodox claim, that such bills were preludes to anti-Semitic developments. To assume, however, that this applies to this bill in this country is not history nor is it even fair. It was strange that an Orthodox segment should influence Representative Farbstein to condemn the bill even after it was amended with the cooperation of other Jewish groups.

2. In focusing on the kashrut aspect of the bill it seems that some of us have overlooked the needs for some such humane laws. Surely our oft-quoted claims of the tenderness in Jewish thought toward animals includes the pig even though it is not permissible food. The butchering of pigs is the cruelest treatment of animals imaginable. The issue of the slaughter bill, therefore, is not simply the question of kashrut alone but of our attitude toward animals in general.

3. In your editorial you admitted that if there were a more scientific way of slaughter than the Jewish way you might feel it necessary "to urge some departure from tradition." The humane societies and some of the writers of the bill are of the opinion that the handling of the animal before slaughter is very often shocking. This criticism may apply to even kosher slaughtering. While the cutting is said to be scientifically more humane nowhere has anybody to my knowledge proven that the handling before cutting is being done as humanely as possible. Jewish wholesalers are still interested in mass production, and this makes handling a rather ruthless procedure. I would argue and it is possible to quote from the Mishnah that the handling before cutting can include some form of preparation to reduce consciousness.

On the basis of what I know about the bills and what I have seen in kosher and nonkosher slaughterhouses and, because as a Reform Rabbi I am willing to revise some traditions, I am in favor of the humane slaughter laws as amended and, even further, I would be in favor of a little less quoting and a little more observing.

MILTON RICHMAN,
Rabbi, Madison Avenue Temple, Scranton, Pa.

MARION COUNTY FARM BUREAU,
Salem, Oreg., April 10, 1958.

Senator ALLEN ELLENDER,
Chairman, Senate Agricultural Committee,
Senate Office Building, Washington, D. C.

DEAR SENATOR ELLENDER: I have been authorized to inform you that the Marion County Farm Bureau is opposed to the humane slaughter bill now before Congress.

Also that we are in accord with the action taken by the Oregon Farm Bureau Federation board of directors, to actively support the American Farm Bureau Federation in opposition to the humane slaughter bill.

Marion County Farm Bureau, representing 547 farm families, many of which are actively engaged in livestock ranching, felt that this bill (H. R. 8308) was not only dangerous, unpractical, as well as unhealthful, in all its ramifications, but it would also place an unbearable burden of added cost on the livestock industry.

We support S. 1213.

Very sincerely yours,

BURNS CHRISTOFFERSON,
President, Marion County Farm Bureau.

OREGON WOOL GROWERS ASSOCIATION, INC.,
Fossil, Oreg., February 10, 1958.

Hon. RICHARD L. NEUBERGER,
United States Senate Building,
Washington, D. C.

DEAR SENATOR: We are concerned with H. R. 8308 which involves mercy slaughtering of livestock in packing plants. I am told that this bill, if passed, would be completely unworkable and result in the closing down of many of our smaller packers. At the same time I would call attention to Senate bill 1213, introduced by Senator Watkins, which I am told is workable. Would you be so kind as to forward copies of these bills to me as soon as possible and to let me know when hearing will be held on H. R. 8308.

I certainly want to commend you on your fine help on the extension of the Wool Act. We appreciate your fine efforts.

Yours very truly,

J. P. STEIWER, Secretary.

Senator TALMADGE. Are there any questions, Senator Aiken?

Senator AIKEN. No, I don't think so. I notice that the bill provides that it will be legal to stun an animal by a single blow or gunshot or electrical, chemical or other means that is rapid and effective, before being shackled, hoisted, cast or cut. That is the method commonly used on cattle?

Senator NEUBERGER. It is my understanding that that is the method commonly used on cattle.

Senator AIKEN. Not on hogs, however. How about shots?

Senator NEUBERGER. Senator Aiken, I have talked with men who work in packing plants. I must admit that I probably did not have the requisite temperament to make the visit myself, and therefore talked to Federal meat inspectors and employees in packing plants who have come to me and to others I know and urged this legislation.

Hogs are very often trussed up to have their throats cut while they are alive, and therefore subject to all the terror and pain which such a process would imply. The desire of the legislation is to have these animals stunned, rendered unconscious and insensible to pain prior to the time that the death, incision with the knife in their throats, is inflicted.

Senator AIKEN. In other words, this legislation would probably apply to hogs and other animals?

Senator NEUBERGER. It is designed to apply to all animals. But I think necessarily because of present practices in packing plants, it probably would have its application most widely with respect to hogs.

Senator TALMADGE. Senator Thye?

Senator THYE. I have no questions, Mr. Chairman.

Senator TALMADGE. Thank you very much, Senator Neuberger. We appreciate your appearing.

Senator NEUBERGER. Thank you very much.

Senator TALMADGE. Is Representative Dawson of Utah here?

Congressman, we are happy to have you appear. You may proceed at will.

STATEMENT OF HON. WILLIAM A. DAWSON, REPRESENTATIVE IN CONGRESS FROM THE SECOND CONGRESSIONAL DISTRICT OF UTAH

Mr. DAWSON. Mr. Chairman, I deem it a great honor to be invited to appear before your committee in behalf of humane slaughter legislation. As one of the sponsors of this legislation in the House I have had occasion to give it some thought and study. I hope that the testimony I give before your committee might lend something toward reflecting the views of those of us who feel that it is most vital and most important.

First of all, I think we should consider the question of whether legislation is necessary. When I first was approached by persons interested in humane slaughter, I made inquiry of the Department of Agriculture and I was informed by the Secretary's office that the Department opposed compulsory legislation, favoring instead voluntary progress through the cooperation of our packing industry.

For a time this answer satisfied me. Getting an individual or an industry to do what ought to be done voluntarily is certainly to be preferred over requiring them to do it by law.

Later, however, my curiosity was aroused and I asked the Department what progress was being made on a voluntary basis. My reaction to the vague, confused, and entirely unsatisfactory answer was to introduce legislation making humane slaughter compulsory. The truth was that the packing industry—with a few notable and commendable exceptions—had made no progress over the years and apparently had no immediate program to effect a change in slaughtering and stunning methods.

In reviewing hearings held by your subcommittee on similar legislation in the 84th Congress, I found the packinghouse industry maintaining that it had spent thousands of dollars in research attempting to find feasible humane slaughtering methods. Yet when asked to comment on the modest cost estimates made by sponsors of humane slaughter legislation, the spokesman for the meatpacking industry testified as follows:

Accurate estimates of the cost of installation require a reasonable period of planning and study. To date, the industry generally has not prepared such careful estimates, and hence we do not have comprehensive figures indicating costs of installation. With what information we do have, however, the cost of installation can be appreciably more than the cost of equipment.

For an industry that maintains it has spent 30 years time and large sums of money on research, Mr. Chairman, that is a very weak answer, in my opinion. I trust that under the goad of the legislation before you today that situation has been corrected.

Other effects of this legislation are worth noting. When I introduced this legislation it was estimated that only about 25 percent of the cattle slaughtered in this country were first stunned by mechanical means. This despite the fact that inexpensive and accepted captive bolt stunning pistols had been available for years to replace the unreliable poleax. The Department reported to me recently that now over 50 percent of the cattle slaughtered is rendered unconscious by mechanical pistols. Thus there has been more progress in 1 year since this measure was introduced than in the 30 years preceding this action.

The fact that progress is being made, however, does not do away with the need for this measure, in my opinion. This bill in its original form is not directed toward that proportion of the packing industry which on its own volition adopts humane slaughtering methods. This bill is directed toward that segment of the industry which has done little, will continue to do too little, and will do it too late—or never. Without this legislation, we will, I am convinced, condemn millions of animals to wanton cruelty, the more defenseless because it is unnecessary.

As has been emphasized time and again, Mr. Chairman, we are not forcing the packing industry to embark on uncharted seas. Other progressive nations have had compulsory humane slaughter legislation for years, even decades. The experience in each of these countries is available to our meatpacking industry.

Before closing, Mr. Chairman, I would like to make a few comments about the adverse reports on this legislation you have received from the Departments of Army and Agriculture, and I have taken occasion to read all of them that have been before your committee. It is heartening to note that both agencies are completely in favor of the basic purpose of the bill and both applaud its goal.

The basic objections of both agencies are that the legislation will unduly hamper the Government in its meat purchases. They fear that too few packers in return for the privilege of selling to the Government will adopt approved slaughtering methods. These objections may well be valid but they can very easily be met—but not by abandoning the legislation, as these agencies indicate. The objections can be met by returning the bill to its original form. This would apply the humane slaughter requirements to all packinghouses in interstate commerce, not just those selling to the Government.

There is no reason in this enlightened era of technical advances that we should tolerate the cruelty that primitive slaughtering methods imposes needlessly upon millions of defenseless animals per year. This legislation should be broadened and passed.

Senator TALMADGE. Senator Aiken, do you have any questions?

Senator AIKEN. In referring to "this legislation," do you refer to—

Mr. DAWSON. I refer to the House bill that was passed, the so-called Poage bill.

Senator AIKEN. That would be Senator Humphrey's substitute bill?

Mr. DAWSON. Yes, I think that is the one that is referred to.

Senator AIKEN. And that applies to meat furnished for the armed services or other Government use?

Mr. DAWSON. That is correct.

Senator AIKEN. Not general use.

Mr. DAWSON. That is right.

Senator AIKEN. That is all.

Senator TALMADGE. Senator Thye?

Senator THYE. Mr. Chairman, I have no questions in reference to this or to his statement.

I will have to leave you because the Appropriations Committee has a markup commencing at 10:30. I regret this, but we have to be present at a committee markup.

Senator TALMADGE. I understand.

Senator THYE. Therefore, I will be leaving you until such time as we have completed that committee action.

Senator TALMADGE. Thank you, Senator.

Congressman Dawson, do you have any idea what it would cost a packing plant to comply with the bill that you have testified in favor of?

Mr. DAWSON. Of course the cost of stunning devices before your committee, if I remember rightly, run somewhere around \$200. The largest packinghouses are now using them, since this bill was first introduced in the House. The cost of the charge that goes into the pistol, I think, is only around 2 or 3 cents for each shot. It is very minor.

There has been some question raised as to whether the carbon dioxide method for hogs would be the one that would be more acceptable to the larger packers. Of course that runs into more money. Hormel's, which has been using that method, spent considerable time and money in research and their exact cost I haven't available, but there are witnesses here who can give it to you. But I do understand that Denmark has a carbon dioxide process that has been developed which could be used by small packers at a cost of in the neighborhood of \$3,000. The larger packers, of course, would have to have more expensive equipment.

Senator TALMADGE. You stated that all the major packers are now using humane methods of slaughter?

Mr. DAWSON. No, they are not. I stated that they are starting to use the Remington Stunner, which is one of the accepted methods. That is used primarily by Swift, I understand, on beef cattle.

Senator TALMADGE. Do you know how that works?

Mr. DAWSON. I understand it is working very well, according to the report from Swift. When they testified before the House committee they said there were a few failures and that Remington people were working with them and they expected to have the weapon fully developed. I understand since then that it is developed and they are finding it acceptable.

Senator TALMADGE. Is it a cartridge or gas?

Mr. DAWSON. It is a cartridge. I believe they have some here that they will demonstrate to you.

Senator TALMADGE. We will get into that later.

Do you have anything else, Senator?

Senator AIKEN. I was wondering, since this bill applies to Government purchases, what effect would it have on off-shore purchases, for example, where Armed Forces are stationed in Germany. Would it mean that German slaughterers in another country would be required to testify that their meats had been slaughtered by these approved methods?

Mr. DAWSON. I am sorry, Senator, I couldn't answer that for you. I don't know what interpretation would be put on it. I think, as far as I would be concerned, it should be only applicable to meats purchased in this country. How the bill might be interpreted I wouldn't know.

Senator AIKEN. I was thinking of the difficulties of enforcing it in foreign countries, where we might be making these purchases.

Mr. DAWSON. Of course, I don't know about Germany, but I believe Germany is one of the countries that has humane slaughter methods. I would have to check into that. I have a list of the countries.

Senator AIKEN. Do you know why this bill was changed so as to apply only to purchases for the Government?

Mr. DAWSON. Yes, I do. Because many of the small packers felt that it was going to place an undue hardship on them. Personally, I would rather see it relate to interstate commerce. But it was because the small packers, who couldn't afford this equipment, asked that it just apply to those who sell meat to the Government.

Senator AIKEN. Are the small packers making the same progress in developing humane methods that the large packers are?

Mr. DAWSON. I don't believe they are. The larger packers right now know that they are going to have to come to this sometime or other by reason of the public sentiment there is for it. I am certain that when they do come to it that the small packers are going to see the advantage of the captive-bolt pistol and they will start using it as well.

Mr. Chairman, if I might be permitted to add one other point, in reading the report of the Department of Defense, I notice that one of their objections is that you can't always be sure that an animal is going to be rendered insensible to pain with one shot from a captive-bolt pistol. Of course that may be true. There may be errors in any kind of slaughter.

But I would suggest this: If there is any question in the committee's mind about that point, as far as I am concerned—and I believe other sponsors of the legislation would be concerned—we wouldn't object to an amendment, at least the House members wouldn't—which would provide that if any packing institution is substantially complying, that they are using the method, and if they happen to miss one out of a thousand or something of that category, certainly it isn't intended to be technical about it, but as long as they will install the methods and use them, the fact that you may miss one out of a thousand to me is an invalid objection on the part of the Department of Defense.

Senator TALMADGE. Thank you very much, Congressman Dawson. We appreciate your testifying.

Mr. Fred Myers, executive director of the Humane Society of the United States.

STATEMENT OF FRED MYERS, EXECUTIVE DIRECTOR, HUMANE SOCIETY OF THE UNITED STATES

Mr. MYERS. I thank the committee for allowing me to appear.

Mr. Chairman, I have made available to the clerk of the committee copies of a prepared statement on behalf of the Humane Society of the United States. I would like, with your permission, to have that entered in the record so that I may not have to use up your time with extensive oral remarks.

Senator TALMADGE. Without objection, it is so ordered.

(The above-mentioned statement is as follows:)

The Humane Society of the United States, speaking for its branches and for its members in every State and Territory of the Union, urges enactment of S. 1497, a bill identical with H. R. 8308, already approved by the House of Representatives.

Two committees of the Congress already have conducted public hearings on the subject of cruelty to animals in slaughterhouses. A subcommittee of your own committee heard many expert witnesses in 1956. A committee of the House of Representatives heard many more witnesses in 1957. Members of the House committee supplemented their public hearing by visiting slaughterhouses that use both humane and inhumane methods.

In order not to waste the time of this committee, I shall attempt to avoid here a duplication of testimony and evidence that the HSUS submitted in the earlier public hearings. Undoubtedly, this committee will want to study the earlier records as a supplement to what will be said this week.

The Humane Society of the United States endorses S. 1497 for the following principal reasons:

1. Methods of slaughtering animals now in almost universal use in American slaughterhouses cause intense suffering and constitute a cruelty repugnant to our national moral code.

2. Methods now commonly used cause an immense economic waste, the burden of which is borne by both livestock producers and by consumers.

3. Practical methods of killing animals humanely are available and are economically feasible for even the very smallest packers.

5. It is evident that the packing industry will not end the cruelty and economic waste without compulsion of law.

If the statements that I have just made are valid, then S. 1497 should be enacted into law. No witness will appear before you to say that cruelty and economic waste should be continued if a practical alternative is available.

It remains for me to offer evidence in support of the statements made.

PRESENT METHODS ARE CRUEL

It is noteworthy that no packer has ever denied, in previous hearings held by committees of the Congress, that slaughter methods now most commonly used are cruel. On the contrary, many packers have publicly admitted that their methods cause intense agony to animals. Several such statements can be found in the records of earlier Senate and House hearings on this subject.

It seems necessary, however, here to describe some of the techniques in common use, not only so that the Senate may be aware of the moral issue involved but so that the economic factors can be understood.

Hogs, of which some 60 million go through slaughterhouses every year, are ordinarily killed in this manner: Approximately a dozen animals are driven into a shackling pen—a pen just large enough to hold that number of animals and 1 to 3 workmen, who are known as shacklers. There a short length of chain is noosed around one hind leg of each animal. The end of each chain is then hooked to a moving belt or chain, revolving over a huge wheel, which inexorably drags the struggling animal to one end of the pen and then upward, dangling by the shackled leg, to a floor above.

On the upper floor, still struggling, the hog is carried before a man known as the sticker. The sticker is supposed to plunge a broad-bladed knife into the big artery in the throat of the hog. It is not desired that the hog shall be quickly killed; the deliberate intent is that the animal shall die slowly so that the laboring heart will clear the body of blood.

Stickers in the big slaughterhouses become quite expert. But even an expert cannot always knife a struggling hog precisely as intended. Often the animal is stuck several times in various parts of the head, face, and even in the shoulders before the artery is cut.

After a hog is stuck, the overhead conveyor moves the bleeding animal further along, to a scalding vat. It is intended that the time interval between sticking and scalding shall be enough for the hog to become unconscious. However, not all hogs bleed at identical rates. The sticking is not always perfect. And sometimes hogs are subjected to the almost unimaginable torture of being plunged into scalding water while entirely conscious.

The method that I have just described is used in all but a handful of the major slaughterhouses of America.

Sheep, lambs, and calves are routinely killed in almost exactly the same way. They are shackled, hoisted by one leg, swung over the killing floor by the inexorable machinery, and then their throats are cut in such a manner that they bleed, very slowly, into unconsciousness and to ultimate death.

Cattle—only because of their size—are handled somewhat differently.

The almost universal method of killing cattle begins by driving one or more animals into a knocking pen—a pen small enough to prevent an animal from turning around. On a platform alongside and above the floor of the knocking pen stands a man called a knocker. The knocker uses a long-handled hammer, weighing 5 to 8 pounds, to pound animals to the floor.

The intent is to deliver a blow on the upper front of the head that will floor a cow, steer, or bull with a single swing. Even an experienced knocker often fails, however, and packinghouses by no means always have experienced men for this job. It is one of the most dangerous and unpopular jobs in any packinghouse. Inspectors for the Humane Society of the United States have frequently seen knockers take 10 and more blows to stun an animal. The hammer often knocks off a horn or smashes an eye or the nose before the knocker beats the animal into immobility. And the fact that the animal is "immobilized" by no means guarantees that the animal is unconscious of further pain.

When a cow, steer, or bull has been floored by the hammer, it is then shackled by one hind leg and hoisted, exactly as hogs are, and its throat is cut.

Horses that go to slaughterhouses are handled like cattle.

The economic evils of these techniques will be discussed later. What I wish to emphasize here is that they constitute an immoral cruelty—an almost unimaginable cruelty.

If any member of this committee saw someone kill a single dog by the method now routinely used to kill hogs, sheep, calves, and lambs, he would certainly intervene; he probably would call the police, and he would expect that the community would have a law prohibiting such cruelty.

S. 1497 will certainly be enacted into law if the imagination of Senators can encompass the horror of what is being done every year to scores of millions of animals. Morality demands it.

PRESENT METHODS CAUSE ECONOMIC WASTE

The inhumane methods of slaughter that have been described are, besides being cruel, a burden on the national economy. These archaic methods cause an immense waste of meat, which inevitably tends to depress prices paid to farmers for livestock and to raise prices paid for meat by housewives. They cause one of the highest and most expensive accident rates in all industry. They are responsible for high and costly labor turnover in packing plant jobs requiring skill and experience.

It has been suggested in one bill pending in the Senate that the packing industry and the Department of Agriculture need more time to study humane methods of slaughtering livestock. What is more genuinely needed is more studies like one conducted by the University of Minnesota and reported in the July 1957 issue of the American Journal of Veterinary Research.

That study was undertaken to discover the cause of the fact, well known to all packers for 50 years or more, that tens of thousands of hams were being ruined every year by what packinghouse workers call a cherry bruise, flank bruise, flank strain, or internal ham bruise.

It should interest farmers and ranchers to note that packers have always blamed farmers and transportation companies for these costly bruises. The University of Minnesota report says that "in all instances they (packing plant

personnel) associated the appearance of the condition with injury to the animal during transit from the farm to the packing plant."

The Minnesota research team proved, conclusively, that the ham bruises "are brought about largely by the process of shackling a live hog." The study also proved that the bruises are eliminated by the humane methods of hog slaughter now in use in a few plants.

Cherry bruises are almost always caused, the researchers discovered, by rupture of the hip-joint capsule and by tearing of ligaments in the shackled hams. And the damage occurs, the report says, "not just because it tears the round ligaments and the joint capsules, but because it tears them *while the animals are still alive*, resulting in hemorrhage from the torn blood vessels * * *." [Italic supplied.]

The average cost of a cherry bruise, the Minnesota researchers estimated, is \$1.50 per bruised ham. In just one of the packing plants studied, the loss from cherry bruises was estimated at \$90,000 a year. But the Minnesota report admits that these estimates of cost and loss are conservative. Some packers estimate that ham bruises cause an increase of \$2.50 per damaged ham in processing costs. That figure is more nearly realistic than the conservative figure mentioned by the Minnesota team. The Minnesota study showed that in a plant using conventional methods of shackling and hoisting hogs, 8.8 percent of shackled hams were significantly bruised.

On the basis of these figures, it is clear that this single type of meat wastage, caused entirely by inhumane methods of handling the animals, is costing at least \$6 million a year.

But the waste of ham is much larger than is thus indicated. These figures take no account of meat that is thrown away in disgust by housewives who unsuspectingly buy ham with internal blood spots. As the research group comments: "when consumer acceptance is considered, these (hidden hemorrhages) may prove to be more economically significant than the hemorrhages found prior to selling the product." And the report further notes that "the percentage of claims for defective hams due to this condition has not been ascertained."

The revelation by the Minnesota researchers of this huge waste of meat due to brutal methods of handling animals is startling. But the most notable fact brought out by the study is that the packers, who allegedly have been actively studying slaughter methods for 30 years, have throughout all those 30 years been blaming their ham bruises on farmers and transportation companies.

The Minnesota study, it is to be noted, deals only with one kind of waste in one aspect of slaughter of just one species of animal. No similar study of damage cause by inhumane methods of slaughtering cattle, sheep, and lambs has ever been made. Commonsense makes it clear, however, that the waste of pork, beef, veal, lamb, and mutton must be enormous. The shackling and hoisting of a 200-pound hog ruptures its hip joint and tears ligaments and blood vessels. Imagine what happens to bone, muscle and meat when a half-ton steer is jerked aloft by one leg.

And there is still further damage to meat, for which producers and consumers ultimately pay, because of inhumane methods of killing. I hope that members of this committee will refresh their memory of a statement by E. Y. Lingle, president of the Seitz Packing Co., of St. Joseph, Mo., printed on pages 166-167 of the transcript of a hearing conducted by your subcommittee in May 1956.

Mr. Lingle reported that after his plant switched from the traditional methods of cattle slaughter to a humane method, he discovered that cattle bled better, that consequently it was easier to skin animals, that "the Government inspector has remarked that there is less coagulated blood in the heart and the men on the floor have shown me that there is less blood in the chest cavity when the cattle are eviscerated," and that cattle cut better and there were fewer bruises in the meat.

The economic implications of Mr. Lingle's statement are vast. In plain language, the conventional methods of killing cause bloody meat, they are the cause of the costly stiff cattle and dark cutters, they cause damaging bruises, they cause damage to valuable hides, and they increase labor costs.

It cannot be too strongly emphasized that this huge economic waste is not in final analysis borne by the packing plants—it is passed back to livestock producers and it is passed onward to burden consumer food budgets.

As I said earlier, inhumane methods of killing animals cause further economic losses through the abnormally high accident rate in the packing industry, to which these methods are a principal contributing factor. Department of Labor statistics show that the packing industry has an accident rate that is

almost double that of the average in all industry. No exact breakdown of these accident figures to isolate the accidents on the killing floor is available, but everyone familiar with the industry knows that the shackling and knocking pens and the killing floor in general are among the most dangerous of all sections of a packing plant. The president of the Seitz Packing Co. particularly emphasized to your subcommittee in 1956 that "cattle knocking is an unsafe j b." Hog shacklers probably suffer a higher incidence of accidents than any other packing-plant group. The most dangerous aspects of these jobs are eliminated when humane methods are substituted for the conventional brutalities.

The loss of man-hours, of medical expenses, and of efficiency that is caused by the unnecessary accident rate is a burden on the whole economy but—again—chiefly on livestock producers and meat consumers.

It has been authoritatively testified, in the earlier hearings on this subject, that the conventional methods of shackling and hoisting hogs, sheep, lambs, and calves, and of beating cattle with a hammer, cause an expensive labor turnover and general inefficiency in those operations. Shackling and knocking are jobs that few men want. In many plants the shacklers and knockers stay on those jobs only for an average of 2 or 3 weeks before they use the privileges of seniority to demand transfer to a less dangerous and repugnant job. Congressional committees have heard these facts from packing-plant executives.

In view of the fact that many studies in many types of industry reveal that the employment and training of a new man on such a job as shackling and sticking may cost as much as \$500 per man, it is apparent that the excessive labor turnover that is caused by inhumane slaughter methods is placing another expensive burden on the economy—primarily on livestock producers and on meat consumers.

PRACTICAL METHODS OF HUMANE SLAUGHTERING ARE AVAILABLE

It has been proved that present conventional methods of slaughtering livestock are grossly cruel and that they cause important economic waste. It follows, in the logic both of morality and economics, that if any practical alternative is available the cruelty and waste should be ended.

Humane methods of killing livestock in packing plants are available and are mechanically and economically practical.

It is hard to see how there can be honest and rational controversy about that statement. The truth is established by the fact that some of the most efficient and profitable packing plants in America, and hundreds of plants in Europe, are using the recommended humane techniques with proclaimed satisfaction and profit.

In these progressive plants, all animals are either anesthetized or instantaneously stunned into unconsciousness before they are shackled, hoisted, cast to the floor, stuck, cut, or bled. The animals feel no pain whatever.

It would be pointless here to give a detailed description of the methods by which carbon dioxide is being used to anesthetize some species of animals and mechanical stunning instruments and electricity used to make other species instantly insensible to pain. Your own subcommittee already has heard many hours of expert testimony along that line and doubtless all members of this committee have at least some knowledge of the facts.

The important fact to be noted is that these methods are not experimental, not theoretical, not a goal of the future—they are practical methods that both big and small packing plants are successfully using right now.

Carbon dioxide anesthetization of hogs has been routinely used by George A. Hormel & Co. since 1951. Hormel initiated this humane method first in its plant in Austin, Minn., where 10,000 hogs a day are slaughtered. It was so successful, so economical, so efficient, that Hormel has since installed carbon dioxide equipment in its two other huge plants in Minnesota and Nebraska. Hormel representatives have themselves already told the Senate that they find the humane method greatly superior to their old method.

The carbon dioxide technique almost entirely eliminates waste of meat from cherry bruises, blood splashes, and faulty sticking of hogs. In Austin, this method reduced labor costs in shackling and sticking by 40 percent. Packing-house employees benefit through a lowered accident rate and generally improved working conditions.

In short, everybody benefits—the animals, livestock producers, meat consumers, labor, the industry itself. Seven full years of actual packing plant experience prove that this is a fact.

About 2 years ago the big Kingan plant of Hy-Grade Food Products Corp., in Indianapolis, also installed carbon dioxide equipment. I have visited that plant myself. I have watched thousands of animals go through the entire process. I have talked to top officers of the company.

The animals die painlessly, unalarmed. And Kingan, like Hormel, certifies that the humane method is mechanically and economically superior to the methods that involve cruelty to the animals.

The word is spreading through the packing industry. The progressive and profitable Oscar Mayer & Co., which long has used the humane captive-bolt pistol to stun cattle humanely before the animals are shackled or cut, is installing anesthetizing equipment for hogs. I am informed that the relatively small but efficient Ess-Kay plant in Baltimore, Md., has ordered such equipment.

It is beyond dispute that a humane method of killing hogs is available, is practical, is economical.

Statements have been made that carbon dioxide equipment is too costly for use by small packers. Such statements simply are not true.

It may cost as much as \$200,000 to install carbon dioxide equipment in a plant geared to process 10,000 hogs a day. But there are few plants of that size in America or in the whole world and the cost of such equipment, including the cost of capital, depreciation, maintenance, and operation, is less than nine-tenths of a cent per hog. The net result is a saving.

For small plants—a plant processing, say, 250 hogs a day—carbon dioxide equipment can be installed for as little as \$7,000. The equipment is relatively simple, basically consisting of no more than a moving belt and an inexpensive tunnel, and it can be adapted to the requirements of any plant of any size at a cost that will make it a profit producer.

The accuracy of this information has been documented in earlier congressional hearings.

But if any very small packer—or large packer, for that matter—still believes that he cannot afford carbon dioxide equipment, other methods of humane slaughter are available that involve virtually no capital cost. And these methods, too, have been proved in actual packinghouse use to be practical and economical.

There is, for example, the captive-bolt pistol. This instrument has been used by packers in both Europe and the United States for many years. It has been in long use by Oscar Mayer, by the Seitz Packing Co., American Food Stores, Great Falls Meat Co., and dozens of other plants, large and small, to stun cattle. The captive-bolt pistol stuns the largest bull instantaneously. It is equally adaptable to the smallest lamb.

A captive-bolt pistol costs only about \$125 and cartridges cost approximately 2 cents each. The cost of the gun and cartridge is more than offset by improved meat quality, more efficient working conditions, and elimination of accidents incidental to use of the inhumane hammer.

A considerable number of packers also now are using a variety of stunning instruments that basically are modifications of the captive-bolt pistol. A good example of this kind of instrument is the Remington stunner, made by the Remington Arms Co. I believe that Armour, Swift, and several other companies are now using the Remington instrument on all or most cattle. They find it efficient. Other plants are using the German-made Schermer stunner or other brands of similar instruments. All these packers certify that it is more economical and more efficient to use these humane devices than to work without them.

Still more methods of humane slaughter are available.

One of America's biggest industrial firms now is developing a stunning instrument that will be actuated by compressed air instead of, as in the case of the Remington stunner, a cartridge. At Rutgers University, a scientist who formerly was on the research staff of the Kingan packing plant in Indianapolis is doing promising new research into methods of stunning hogs with electricity. He already has used new techniques on several thousand hogs in a Newark, N. J., packing plant and there is strong indication that his methods will meet objections to electric stunning that have heretofore prevented its widespread use in the United States.

Electric stunning, as members of this committee know, already is widely used in many European countries and is used in the United States by at least two small plants. Electricity, as a method of making animals instantaneously insensible to pain, has been proved to be economically feasible in the very largest, as well as the smallest, American packing plants. Documentation of this statement will be found in the record of the Senate hearing on this subject in 1956.

I reemphasize, and point out that the emphasis cannot be too great, that the availability of practical and economical methods of slaughtering animals humanely is not rationally debatable. Methods that have been in satisfactory use in American packing plants for many years cannot be called experimental or impractical.

LEGISLATION IS NEEDED

It should be a matter of pride to all Americans that some American packers have voluntarily and enterprisingly abandoned the conventional cruelty to animals and adopted more efficient and humane methods. My society warmly commends them.

But today more than 90 percent of all animals slaughtered still are being subjected to the same extreme suffering that has been the routine for a hundred years or more. It is obvious that the packing industry will not and cannot end this cruelty without the compulsion of law. The time has come when Congress should act.

The American Meat Institute and the Department of Agriculture are suggesting to the Congress that they need more time to study techniques of slaughtering animals. To be blunt, the suggestion seems disingenuous.

The American Meat Institute has nominally had a committee on improved methods of slaughter for 30 years. The humane societies of the Nation have given that committee every cooperation that it would accept. In all of the 30 years, the AMI has never recommended to its members a single step to decrease animal suffering. It seems a bit late in the day, after 30 years of alleged but fruitless study of this problem, for the American Meat Institute suddenly to urge Congress to enact a law requiring study.

From the Department of Agriculture, which seems to be very closely allied to the American Meat Institute in this matter, we hear that there is very little scientific knowledge currently available on the humaneness of the various methods. The Department joins the American Meat Institute in suggesting that the Congress enact a law requiring the Department to study slaughter methods, *ad infinitum*.

I hope that this committee and other Senators will note that the American Meat Institute and the Department of Agriculture suggested this same study almost precisely 2 years ago, when your subcommittee first held a public hearing on this subject. At that time the AMI and the Department advocated a law that would have required the Department of Agriculture to conduct research in this field and report back to Congress in 2 years—in other words, at approximately this time.

I recall that in that earlier hearing Senator Humphrey asked Dr. Clarkson, chief of the Agricultural Research Service of the Department of Agriculture, whether the Department did not already have authority and facilities to conduct such research. Dr. Clarkson replied that the Department did have such authority and facilities.

There is another bit of history that seems pertinent. On August 3, 1956, I wrote to Dr. Clarkson, asking him whether the Department could use its enormous research facilities to explore the adaptability of carbon dioxide techniques to cattle and other species.

On August 21 Dr. Clarkson replied that it had been arranged for Dr. N. R. Ellis, Chief of the Animal and Poultry Husbandry Research Branch, to execute the suggested study.

On October 23, 1956, I wrote to Dr. Ellis, asking for a chance to talk with him and to provide him with information that might be helpful.

A few days later I was informed, by telephone, that Dr. Ellis was not yet ready to begin the promised work.

On March 11, 1957, I again wrote to Dr. Ellis, asking how the project was progressing and remarking that a House committee, which had scheduled a public hearing on this subject for April 2, probably would like to hear the results of Department research.

On March 20, Dr. Ellis wrote me a very remarkable letter. Although I had suggested research specifically to determine the effect of carbon dioxide on cattle, and Dr. Clarkson had promised such research, Dr. Ellis informed me that "thus far we have made a few tests with carbon dioxide and its action on a very limited number of hogs." He also reported that "we have not attempted to immobilize cattle with carbon dioxide gas."

Dr. Ellis reported no conclusions from his "few" tests on a "very limited" number of hogs.

I say that this was a remarkable letter because a Department study of the use of carbon dioxide on hogs was absolutely pointless—unless the Department sought to find some objection to a technique already exhaustively studied, tried, and proved practical by the Hormel Co. If the Department of Agriculture wanted to study the effect of carbon dioxide on hogs, it could have sent Dr. Ellis to Austin and for an expense account of a couple of hundred dollars he could have had access to 10,000 research hogs every day. He also could have worked with the men who developed the carbon dioxide technique and who had already studied its every aspect.

Is this the kind of "study" that the Department of Agriculture asks the Congress to require of it? Two whole years have passed since Dr. Clarkson told your subcommittee that he already had full authority and the facilities with which to do research in this field. Eighteen months have elapsed since Dr. Clarkson told me that the Department would proceed to a study of the effects of carbon dioxide on cattle. And the full activity to this date has been some redundant boondoggling with a "very limited" number of hogs.

Dr. Clarkson has repeatedly insinuated to congressional committees—although he has never come out flatly and said so—that carbon dioxide may not be a humane anaesthetic. The insinuation is nonsense. Carbon dioxide has for many years been widely used as an anaesthetic for human beings. Its properties and its effects are absolutely known. A member of the board of directors of my own society, Dr. Myra Babcock of Pleasant Ridge, Mich., a noted anaesthesiologist, testified personally before your subcommittee and before a House committee that she has often used carbon dioxide on human beings. There is a vast medical literature on the subject. It passes understanding that Dr. Clarkson could at this time suggest that Congress postpone action on the pending legislation so that the Department of Agriculture may determine whether carbon dioxide is humane.

If any clincher on this attitude by Dr. Clarkson and some of his associates be needed, I refer the committee again to the transcript of the hearing held in May 1956 (p. 122). Senator Humphrey asked Dr. A. R. Miller, Chief of the Bureau of Meat Inspection:

"Do you feel that we can pinpoint evidence, scientific evidence, as to just exactly what CO₂ does?"

"Dr. MILLER. As a matter of fact, Mr. Chairman, we have already done that in discharging our responsibilities in connection with the Hormel installations.

"Senator HUMPHREY. What are your findings?"

"Dr. MILLER. Our findings have been that the carbon dioxide treatment of the live animal is safe in terms of immobilizing without suffocating, that it results in no changes in the animal or the carcass that would be detrimental or abnormal in any respect with respect to normal slaughtering practices.

"Senator HUMPHREY. And that is an official finding now by the Department?"

"Dr. MILLER. Yes."

The time for study of methods of slaughtering animals, it seems to my society and to the millions of Americans who ask the Senate to enact S. 1497 into law, has run out. Those who propose further study are in reality merely opposing any effective action by the Congress. The subject has been studied exhaustively and the findings are conclusive.

S. 1497 and its companion House bill, H. R. 8308, are moderate, reasonable bills. They take a step forward but they leave many options to the packers and they safeguard the interests of everyone concerned.

The proposed study bill would achieve nothing and would not in the slightest degree abate the public demand for legislation to end slaughterhouse cruelties. S. 1497, on the other hand, will achieve progressive results.

GENERAL COMMENT

The Department of Agriculture and the Department of the Army have suggested to you that S. 1497 might have the effect of making it difficult for Government agencies to procure meat and meat products and might increase the cost of such products to the Government.

One problem noted by the Department of the Army—but one problem only—seems to us to have validity. It was never intended by sponsors of S. 1497 or its companion House bill that the Armed Forces or other agencies of Government should be required to abide by provisions of the pending bills when they buy meat or meat products abroad for use abroad. We recommend that an exempting clause be written into the bill. In many nations abroad, of course, humane slaughter laws much more exacting than S. 1497 already are in effect.

In other respects, we think, the fears mentioned are unjustified. This is a bogey without reality.

Except in exceedingly rare instances, all Government procurement agencies buy meat and meat products from or through federally inspected slaughterers and processors. That is a practice required by sanitary and quality considerations. Whenever that rule is violated, special and costly inspection procedures are needed.

So, in reality, Government purchasing already is practically confined to federally inspected sources.

Even a very superficial study of meat procurement procedures of Government agencies reveals that S. 1497 would have no appreciable effect on those procedures or on prices paid by the Government. The Federal Government buys more than 2 percent of all meat produced by American packing plants. That is approximately \$200 million worth of meat. "If" competition in bidding for Government contracts were restricted, the Department of Agriculture remarks, extra costs to the Government "could" be considerable. Can anyone seriously fear that with a market for \$200 million of meat involved, the bidding is going to be restricted to any degree that would make monopolistic control of the bidding possible? The same fear could be expressed about the effect of existing requirements that producers and vendors meet stipulated sanitary standards. It is an obvious fact that such requirements do not inhibit competitive bidding.

The Department of Agriculture also has argued to you that no mechanical device is foolproof and infallible and that, therefore, no slaughterer could comply with the requirements of S. 1497 because a captive-bolt pistol or a mechanical stunning instrument would sooner or later fail to render some animal insensible "by a single blow or gunshot." This is specious legalism without substance.

S. 1497 authorizes and requires the Secretary of Agriculture to use judgment and discretion in determining what methods of slaughter conform to the stated public policy. The bill authorizes the Secretary, if he deems it advisable, merely to designate certain methods that do not satisfy the public policy. The clear intent of the bill is to give to the Secretary a reasonable power to implement the proposed act in a practical manner. If it were felt to be necessary, section 2 (a) of S. 1497 could be amended to say that " * * * all animals are normally rendered insensible to pain by a single blow," etc. Such an amendment would seem to me to be superfluous.

Finally, I would say a word about issues involved here that are broader than economics and mechanics. I make these remarks as an individual, rather than as spokesman for my society—although I am sure that members of the Humane Society of the United States would agree with me.

I am an American. I am proud of my country. I am the father of 4 children and grandfather of 2. I want these children and other children to grow up in an environment that creates and encourages in them the qualities of compassion and mercy for any living thing that suffers—man or beast. I want them to be able to think of their country as a leader of this troubled world in those best qualities of mankind.

I am of the opinion that it is deeply harmful to children to be allowed to feel that the society in which they live sanctions any cruelty.

Today our United States is behind much of the rest of the world in this matter of outlawing the ancient cruelties to animals in slaughterhouses. Other countries have long had laws—much more demanding laws than anything being proposed here—to protect animals in slaughterhouses. We are decades behind Great Britain, the Netherlands, Denmark, Norway, Sweden, Germany—and even the Fiji Islands.

Simple morality requires that we end the gargantuan cruelty now daily perpetrated in our slaughterhouses. So does concern for the growth and development of our children. So does a concern for our national influence abroad. So does a concern for economics.

We hope that this committee and the Senate will act favorably and promptly on S. 1497.

Mr. MYERS. Mr. Chairman, the premises on which proponents of this legislation seek its enactment have been adequately and eloquently stated by Senator Neuberger and Representative Dawson. They are so well understood that I think is small point in reiterating them. But I would like to touch orally on the major premise, which is that the existing methods of slaughtering animals are cruel.

In my prepared statement there is a detailed description prepared from my own personal observation as well as from the technical literature of the packing industry of the methods by which the various species of livestock are commonly slaughtered. I hope that ultimately the members of the committee will find time to familiarize themselves with the details of what is now being done to the animals.

I brought with me, because one part of the present slaughtering process is difficult to describe, a photograph which shows the process of shackling and hoisting hogs. This is the method which is almost universally used. This is a shackling pen in one of the better plants of the United States, one of the most efficient and one of the most profitable. This picture was fortunately arranged so that it shows the whole process.

You will see in the background a man who is taking a chain shackle from a rack on which they are kept. At this point a man has just put the noose of the chain around the leg of the hog. And at this point a man has fastened this hook into a moving belt which moves in this slot in the wall. At this point a hog is being lifted. The wheel which elevates the hog raises him to the floor above, or in some cases to the second floor above the shackling pit. A great deal of the cruelty to animals which this bill seeks to prevent is visible at this point.

On the reverse side, much more roughly presented but nevertheless presented with scientific authority, is a diagram drawn from X-ray photographs by scientists of the University of Minnesota. This shows what actually happens to the live animal when it is shackled and hoisted.

At this point there is the normal standing posture of a hog. This joint of the hind leg normally is at an angle of 80° . At this point is a drawing taken from an actual radiograph and calipered accurately, showing what happens when the hog is hoisted. The direction of the hoist is in this direction, of course—up. But the joint here is stretched to 130° instead of what nature intended, 80° .

I would like to call your attention particularly, Mr. Chairman, to the study by the University of Minnesota which resulted in that drawing. That study was undertaken to discover the cause of the fact, a fact which had been known to packers for many years, that they were losing a great deal of money because of a high incidence of what packinghouse workers ordinarily call a cherry bruise. It is a bruise which appears on the ham and makes it either totally unsalable or it imposes a considerable loss because the bloody meat must be cut out.

It particularly should interest the representatives of farmers and ranchers who are here to note that during all of the history of the packing industry the packers have been blaming the farmers and transportation companies for these cherry bruises. The report by the University of Minnesota scientists said, and I quote:

In all instances they—
the packing-plant personnel—

associated the appearance of this condition with injury to the animal during transit from farms to the packing plant.

The Minnesota research team proved for the first time that this was not a loss to the economy caused by farmers or transportation com-

panies but was a loss caused by inhumane methods of slaughtering. And the exact language of the Minnesota scientists in reporting their findings was that "the ham bruises are brought about largely by the process of shackling a live hog." Any they also showed that these losses are eliminated by the use of the humane methods that are now available.

I won't use your time to go into the statistics on the economic loss occasioned by this and other aspects of inhumane slaughter. I have presented them in the prepared statement. But it runs into a very large loss which obviously is not borne by the packing industry itself, but which is passed on to the housewife who buys the meat, or backward to the farmer and rancher who produces livestock.

Senator HUMPHREY (presiding). I am sorry to be late, but the airplanes from New England just weren't on schedule this morning.

Mr. MYERS. Senator Humphrey, I was just commenting on the very excellent study of the cause of ham bruises conducted by your own university. I had just said that I would not afflict the committee with a reading of the statistics on the economic losses caused by inhumane methods, because I have presented them in a prepared statement.

I hope that the committee will familiarize itself with the fact that these inhumane methods, besides being immorally cruel, are a very serious burden on the consuming public because of the wasting of meat, the cost of labor turnover, the cost of a very high accident rate, and other factors that are stipulated, and that this burden extends itself likewise backward to the livestock producer and the farmer, because the middleman, as all economists will certify, never carries the burden of a loss of this kind. He can rid himself of it; the producer and the consumer cannot.

In passing, I would like to call the committee's attention to the fact that, in the previous records of hearings before congressional committees, packers themselves have given testimony which documents the fact of this economic loss.

The argument that will chiefly be presented, I think, by opponents of the proposed legislation is that the alternative methods suggested in previous testimony are for some reason not practical. With the committee's permission, I would like to spend a little more time on that aspect of this question.

It is well known to all Senators, I believe—I hope—that the George A. Hormel & Co., which is one of the most profitable and efficient and admirable of the packing companies of the United States, some 7 or 8 years ago initiated the use of carbon dioxide as an anesthetic in its plant in Austin, Minn., using it only on hogs. But this was immensely significant because the Hormel Co. at its Austin plant processes some 10,000 hogs a day. And if in even 1 plant it has been proved that a humane method was practical on 10,000 hogs a day, then it follows in all logic that it is practical anywhere.

There is no practical objection to such a method if it works. But the proof is much extended beyond the experience of Hormel. Hormel, finding it successful, introduced it later in both of its other huge plants, and it has subsequently been installed in the Kingan plant in Indianapolis, which processes 7,000 hogs a day. It is now being installed or is on order by the Oscar Mayer Co., another large packer. And I am informed it has also now been ordered for installation by

the small but efficient Esskay plant in Baltimore, Md., thus putting it on a completely new scale in American experience.

There has been talk about the costliness of this installation. Hormel has told us that its initial installation cost is approximately \$200,000, including the remodeling of a building. But, as I have said, Hormel handles 10,000 hogs a day in a single plant, and there aren't very many plants in the United States, nor even in the whole world, that handle hogs on such a scale. The usual plant is handling something more nearly in the nature of 500 hogs a day, or even fewer.

For a plant operating on the Hormel level, if you take into account all of the cost of installation at their initial rate, and the cost of capital, and the cost of depreciation and of operation, the cost still is only nine-tenths of a cent per hog.

For a small plant, as one previous witness told you, smaller installations are available, and it is in the record of the Senate already through its subcommittee hearing 2 years ago, that one manufacturer, a foreign manufacturer but one who is operating under license of American patents, has said in writing that he is willing and able to install carbon dioxide equipment capable of processing 250 hogs per hour at a cost of only approximately \$6,000 in the United States.

Senator HUMPHREY. I believe we referred to that in the testimony. Was that not a Danish firm?

Mr. MYERS. That was a Danish firm.

Even an American manufacturer has told us that they can install equipment of that sort based on their present technology for something in the neighborhood of \$25,000. And when we talk about small packers we are not talking about small retail grocers. A \$25,000 item to what we call a small packer is the cost of 4 or 5 trucks. It is not a major cost item.

The committee will be told, I am sure, by others, about the availability of the captive-bolt pistol, the Remington stunner, the Schermer stunner, and other brands of stunning instruments. I have seen the carbon dioxide equipment in operation. I have seen the captive-bolt piston. I have seen the Remington stunner. I am familiar with the technical problems and the cost problems.

Any packer, however small, even a little locker plant in Podunk, can easily use a captive-bolt pistol or the Remington stunner.

The cost of a captive bolt pistol is only about \$125 to \$150, depending on brand. The cost of the Remington stunner is in the neighborhood of \$400. The cost of operation is from 2 to 3 or 4 cents per animal, depending on which brand of cartridge you use. But the cost is so small that it is insignificant in this discussion.

It is worthy of note by the committee that one of America's biggest industrial firms is at this moment in the later stages of development of a pneumatically operated stunning instrument which would totally eliminate the cost of cartridges. It shows every promise of coming to a successful development. It is also worthy of note by the committee that a Rutgers University scientist, subsidized by a packer, is doing new research on electric stunning, the method which is in such common and successful use in most of the countries of northern Europe, which shows every promise of eliminating the objection to electric stunning which heretofore has been raised by the Department of Agriculture.

I have conferred at length with the man conducting that research. He has used his new techniques on several thousand hogs under practical conditions in a Newark, N. J., packing plant, and I think that I am not giving away a deep secret when I tell you that inspectors for the Bureau of Meat Inspection have found it impossible to distinguish in the later dressing line between hogs that are electrically stunned by that method and hogs which have been slaughtered by the conventional inhumane method.

It is my point that practical methods are available. I believe it has been completely adequately proved that practical methods are available, and that they are economical. The proof of the pudding is in the eating, and in this case the proof is in the fact that American packers are using these methods, using them successfully, and they have testified that they are profitable.

Now I would like to get to a completely different angle, one which is in the nature of a comment upon objections that have been raised to this legislation by some interests.

The American Meat Institute and the Department of Agriculture have suggested to the Congress repeatedly and have renewed the suggestion to this committee through correspondence, that they need more time to study the techniques of slaughter.

To be blunt, this suggestion seems to me to be completely disingenuous. The American Meat Institute has had a committee on improved methods of slaughter, nominally at least, in existence for nearly 30 years. In all of that 30 years the American Meat Institute has never been willing to suggest to its member packers a single improvement in methods of slaughter which would reduce the cruelties conventionally inflicted upon animals. And it seems to the proponents of this legislation really a bit late in the day for the American Meat Institute and the Department of Agriculture now to suggest to the Congress that they need time in which to study methods of slaughter. By their own testimony they have been studying it for 30 years through a formal committee.

The Department of Agriculture has told you in two previous hearings of the Congress that they don't know of any scientific evidence that the alternatives to the conventional method of slaughter are any more humane than what I have shown to you here. This, too, to put a single word to it, seems to me to be disingenuous.

It is very much worthy of note that the Department of Agriculture told a subcommittee of this committee, 2 years ago almost to the day, that they would like to have a bill enacted which would give them 2 years to study this matter. They proposed a bill which would give them until almost exactly this very day to study methods of slaughter. And now they come back to the committee after the period that they originally proposed to the committee and ask for a bill which will enable them, or require them, or instruct them to study this matter ad infinitum.

Senator HUMPHREY. Mr. Myers, could I interrupt there to say that I believe that 2 years ago neither the Department of Agriculture nor the American Meat Institute even favored a program to study the matter, because I recall the bill that was ultimately reported from the full Committee on Agriculture to the Senate Calendar, a bill which modified the action of the subcommittee over which I presided.

The subcommittee bill was a much stronger bill. The full committee bill was merely a study bill in which certain definitions as to humane slaughter practices were set out as legislative findings. That bill was opposed by the American Meat Institute.

Mr. MYERS. That is correct.

Senator HUMPHREY. And I believe that bill was opposed by the Department of Agriculture?

Mr. MYERS. I believe you are correct. It was in early 1957, I believe, that Senator Watkins introduced a bill.

Senator HUMPHREY. It was after we had reintroduced a bill in the 85th Congress which carried out the objectives of the original bill with modifications as a result of a number of valid objections brought up in the hearings. After we had reintroduced it in 1957 the Watkins bill—a study bill—was introduced which does have the support of the Department of Agriculture.

Mr. MYERS. That is right.

Senator HUMPHREY. I want to repeat, I recall vividly that we had no cooperation from the Department of Agriculture in 1956, and the American Meat Institute objected, and the hearings will so reveal. I have them here, on May 9 and May 10, 1956.

Mr. MYERS. Mr. Chairman, I recall vividly that in that earlier committee hearing you asked Dr. Clarkson, who is head of the Agricultural Research Service of the Department of Agriculture, whether the Department did not already have authority to conduct the research that was suggested.

Senator HUMPHREY. Yes, sir.

Mr. MYERS. Dr. Clarkson replied that the Department did have such facilities and such authority. There is another bit of history that I would like to emphasize.

Senator HUMPHREY. To clear the record: I don't want my position to be misunderstood, or my statement on this. The Department now does favor the program that we had reported from this committee in 1956. But it did not, in 1956, favor the study program which was reported in 1956.

My argument in 1956 in support of the committee bill, even though I didn't think it went as far as it should, was that the legislation would lay down a directive to the Department, set up a study commission having all groups participate, and establish by legislative findings certain humane practices. I felt that those 2 years could have been used very constructively, and I still think they could have. But as you are indicating, at least to my knowledge there has been very little if anything done by the Department. Some things have been done, I must say, by some of the packers, which are to be commended.

Mr. MYERS. Mr. Chairman, I would like to emphasize this point with a bit of personal history. I was much impressed by the questions and the line of discussion that the chairman of the subcommittee presented during the hearing. It was a new thought to me that the Department of Agriculture itself might help to push this thing forward. And when Dr. Clarkson told the committee chairman that the Department had facilities and authority to conduct research in this, and expressed sympathy with the objectives of this bill, I acted on that discussion.

And on August 3, which was shortly after the issue had come up—August 3, 1956—I wrote to Dr. Clarkson and asked him whether the

Department of Agriculture could and would use its facilities to explore the adaptability of carbon dioxide to other species of animals besides hogs.

On August 21, which was a prompt reply, Dr. Clarkson told me in a letter that he had arranged for Dr. N. R. Ellis, who was Chief of the Animal and Poultry Husbandry Research Division of the Department of Agriculture, to execute the study that I suggested, and the implication of Dr. Clarkson's letter was that he thought it a good idea, Dr. Ellis thought it a good idea, it would be done.

On October 23, 1956, I wrote to Dr. Ellis and I asked for a chance to talk with him and offered our cooperation in supplying him with information that was already in our files or known to our staff. A few days later, by telephone, I was told by Dr. Ellis that he was not yet ready to begin the promised work. Then on March 11, 1957—we are getting well into the next year after Dr. Clarkson had said all of these things—

Senator HUMPHREY. The day that Dr. Clarkson said what you are talking about is March 25, 1956, in a letter to the committee which is noted on page 169 of the hearings of 1956, in which he said:

The Department has authority to conduct research or to assist, foster, and encourage research in the handling, transporting, and slaughter of livestock and poultry to develop improved methods, including those which are more humane.

This authority has been used to encourage development and use of humane methods by industry in cooperation with humane associations. In all Department research involving livestock and poultry, humane handling is an important consideration.

I just make reference to this exhibit, rather than to have it all printed again. Dr. Clarkson had indicated earlier that he personally felt that an advisory board or commission might be of some help, but you recall he said he could not speak for the Department. Subsequently the letter signed by Dr. Clarkson was sent in response to questions which were posed here in the hearing, wherein he outlines the then current activities of the Department of Agriculture.

Mr. MYERS. Thank you, Mr. Chairman. It was that statement of Dr. Clarkson to which I referred. I would like to now get back to the little history of what has happened in the 2 subsequent years.

As I said, on March 11, 1957, I wrote again to Dr. Ellis to ask him how the research project promised by Dr. Clarkson was progressing. I called Dr. Ellis' attention to the fact that a House committee, which had scheduled a public hearing on this subject for April 2, probably would like to hear the results of any departmental research in this field.

On March 20 Dr. Ellis wrote me what I thought was a really remarkable letter. I had suggested research to determine whether carbon dioxide was adaptable to other species than hogs. It hadn't occurred to me that it needed to be demonstrated that it was adaptable to hogs because it was already being used by commercial packers on hogs very successfully. But Dr. Ellis replied to me that:

Thus far we have made a few tests with carbon dioxide and its action on a very limited number of hogs.

And that was 18 months after Dr. Clarkson had said that the Department would initiate research on this subject.

Dr. Ellis also informed me that :

We have not attempted to immobilize cattle with carbon dioxide gas—which was the original research project suggested and promised.

I say that this was a really remarkable letter because the use of carbon dioxide on hogs was proved successful, humane; there was no need for the Department of Agriculture to construct special facilities to try it out on hogs. Unless perhaps the objective of the research was to attempt to prove that it wasn't practical.

If the Department of Agriculture really wanted Dr. Ellis to study the effect of carbon dioxide on hogs, a \$200 expense account would have taken him to Austin or Fremont, to the Hormel plants, where he could have had 10,000 research hogs every day without further cost to the Government, and he could have talked to the experts who developed the method in the first place.

I ask the committee, is that the kind of research that the Department of Agriculture proposes to you that you require it by law to continue? If so, I think no more comment is needed. That is not, I venture to say, although I make no claims to being a scientist—that is considerably less than scientific research.

Dr. Clarkson has repeatedly hinted to congressional committees, although he has never come out and explicitly said so, that he doubts whether carbon dioxide is humane. And the insinuation is nonsense. Carbon dioxide has for many years been widely used as an anaesthetic on human beings. A member of the board of directors of my own society, a doctor of medicine, has testified earlier and is here willing to testify again, that she, as an anaesthesiologist, has used carbon dioxide on human beings and can certify to its humane aspects.

There is a vast medical literature on the subject. It really passes understanding that the research head of the Agricultural Service of the Department of Agriculture now proposes to the Congress a law that would require him to spend an indefinite future time doing research to determine whether what the medical profession has long certified to be true is in fact true.

And if there were any clincher needed on this subject, I would recall to the committee testimony that Senator Humphrey elicited in the May 1956 hearing from Dr. A. R. Miller, the head of the Bureau of Meat Inspection of the Department of Agriculture.

And may I say parenthetically that for Dr. Miller I have high regard and respect.

Senator Humphrey asked Dr. Miller at that time whether he could pinpoint any evidence about the effects on animals of carbon dioxide. Dr. Miller replied that as a matter of fact his Bureau, which is the Veterinary Service of the Bureau of Meat Inspection, had already done so in connection with its inspection of the use of carbon dioxide in the Hormel plant.

Senator AIKEN. Mr. Chairman, may I ask if carbon dioxide is a gas ordinarily used by dentists?

Mr. MYERS. I do not know about the use of it by dentists, Senator. Dr. Babcock, who is present, probably could answer that better. It is frequently used in mental institutions as a relaxing anesthetic, and Dr. Babcock has testified that she has used it as an anesthesiologist as a preliminary anesthetic to be followed later by deeper anesthetics.

Senator AIKEN. I ask that because I had gas once by a dentist. And if the effect on animals is what it was on me, I would have given my shirt and every nickel I had to get out from under it before I passed out. I wouldn't wish it on any animal.

Senator SYMINGTON. Maybe it was carbon monoxide.

Senator AIKEN. No.

Mr. MYERS. I believe that the gas commonly used by dentists is one of the nitrogen derivatives. I will leave that to another expert.

Senator AIKEN. I have vivid recollections I wouldn't want to experience again.

Mr. MYERS. Dr. Miller told your committee in response to those questions that he and his experts had established that carbon dioxide is—

Safe in terms of immobilizing without suffocating; that it results in no changes in the animal or the carcass that would be detrimental or abnormal in any respect to normal slaughtering practices.

Senator Humphrey, to pin it down and make it absolute, said:

Is this an official finding of the Department of Agriculture?

And Dr. Miller, the Chief of the Bureau of Meat Inspection, said it was an official finding of the Department of Agriculture.

It seems to me ludicrous that the Department of Agriculture should now come before the Senate 2 years later and suggest that it needs to study this method to determine what its effects are on animals.

There has been comment submitted to you by the Department of the Army which I assume means the Department of Defense as a whole, and by the Department of Agriculture, on some specific objections to the pending S. 1497 and the identical House bill, H. R. 8308, upon which I would like to offer some extemporaneous comment.

Senator AIKEN. May we have it clear: You are now supporting the substitute bill offered on February 6 rather than the original S. 1497 offered on March 5, 1957?

Mr. MYERS. That is correct. My society endorses and is here supporting the present S. 1497 and H. R. 8308.

Senator AIKEN. And that is a bill which provides that anyone contracting with the Federal Government to supply meat must use humane methods. It also eliminates the jail sentence and fine which was in the original bill, S. 1497?

Mr. MYERS. That is correct.

Senator AIKEN. Are we to assume that the many communications we have received in the last, say 6 weeks, refer to the substitute bill, but that those received previous to that time refer to the original bill?

Mr. MYERS. Senator—

Senator AIKEN. I would like to get that clear because we have about 1,500 to 2,000 communications in my office. I think most of them feel that the legislation applies to all slaughtering and not just to a limited part of it. Has that been made clear to them?

Mr. MYERS. Yes; it has. While I obviously cannot speak for everyone who has written to you or the committee or various Senators I can say to you that my society—and I know I do not speak for other societies but I believe I know their sentiment—I believe that all of the humane societies are united in their present support of the present S. 1497.

Senator AIKEN. The limited bill?

Mr. MYERS. Right. I believe that you will find that those who have written to you so ardently in favor of humane slaughter legislation will find Senator Humphrey's present bill entirely satisfactory.

Senator AIKEN. You mean even those who wrote during January and February?

Mr. MYERS. That is right.

Senator HUMPHREY. The original bill, in 1955, was a very broad-gaged bill upon which we held hearings and on which there was very drastic modification. But is it not true that while the humane groups were not particularly in favor of the bill that was finally reported to the calendar, there was some support even for that because it was a beginning.

Mr. MYERS. Right.

Senator HUMPHREY. On the convening of the 85th Congress the 1957 bill was introduced, which was a result of the earlier hearings and was a modification of the bill of 1956. A House bill was introduced at the same time which was different and upon which the House took action. Rather than to have confusion amongst the groups that are supporting a beginning in the field of humane slaughtering practices I introduced into the Senate on February 6, 1958, S. 1497, an amendment in the nature of a substitute, so there could be no confusion between the House bill and the Senate bill.

Also I did this because if you pass a House bill one way and a Senate bill another way, you are apt to have an unkindly demise in a conference committee on this kind of legislation. In other words, it is apt not to see the light of day.

So I thought rather than to have any possibility of being waylaid along this tortuous journey it would be better to have one piece of legislation. So the bill before us is identical to the bill that was passed by the House. By an overwhelming vote both in the committee and in the House, the Representatives—who are closest to the people, coming up every 2 years—have taken a stand. This is the same bill on which we have been getting a good deal of mail.

I want to make it clear that I think the mail has applied generally just to humane slaughtering practices. I hope those who have been sending that mail will realize that in legislation we are lucky if we get a beginning. We seldom get what we want as the ultimate.

Senator AIKEN. Yes; there has been some resentment, in the communications I received, over holding any hearings at all on this, insisting that the hearings on the bill introduced in 1955 should have been adequate. I don't believe we could get a bill through the Senate without some difficulty on the floor if we said there had been no hearings on it. Because after all the substitute bill is quite different from the original bill.

Senator HUMPHREY. That is correct.

Senator AIKEN. And probably will be subject to less opposition in general?

Senator HUMPHREY. I think so.

Mr. MYERS. All of us of the humane societies are aware, as I know you are, that legislation is a process of compromise and adjustment. There are those who would prefer the earlier bills. There are those, doubtless, who would prefer still other forms. But a bill which has resulted from 2 years of conference among many groups, which has shaken down through several hearings, which has come out of the

House with a majority, is, to us, a satisfactory bill. It makes progress, and we appear here in support of that bill. I am sure it will satisfy all of our——

Senator AIKEN. There is also no question but by finishing these hearings this week there is plenty of time to enact that legislation at this session of the Congress. So those who, like somebody wrote this morning saying that I was trying to delay the bill—that is nonsense, because I couldn't delay it if I wanted to, and wouldn't even try. I don't like them to get that impression when there is ample time, at least 3 months, remaining——

Senator HUMPHREY. And maybe longer.

Senator AIKEN (continuing). And maybe longer, in which to report this bill out and act on it on the floor.

Mr. MYERS. Mr. Chairman, I can conclude briefly with a direct comment on the objections raised by the several Government departments in communications that I have seen. I would like to have opportunity, if it appears necessary later in the hearing, to offer rebuttal to what they may say in addition tomorrow. But, since they have already placed some objections on the record, it may be helpful if I touch on them now.

We find that there is one point—only one point, but there is one point—raised by the Department of the Army which seems to us to have validity. I am sure it was not the intention of any sponsor of the legislation to have the provisions of this bill apply to the purchase of meat or meat products by the Armed Forces in Timbuktu. It would be entirely acceptable to my society, and, indeed, I should think it is advisable, that there should be some simple clause written into the bill that would provide flexibility or leeway or exemption for the purchase of meat and meat products by Government agencies abroad for use abroad.

And, as somebody else noted, probably in that case in most places they will also buy humanely slaughtered meat, because most of the countries where our forces are concentrated abroad are way ahead of us.

That one point, we concede, is a valid objection to the exact present language.

But in other respects we think the fears voiced by the Department are completely unjustified. Except in exceedingly rare instances, all Government procurement agencies buy meat and meat products from or through federally inspected packers or processors. And whenever that rule, which is required by sanitary and quality requirements, is violated, there usually is an extra cost to the Government because of the necessity for extraordinary inspection procedures.

In 9 cases out of 10, or in 99 out of 100, or in an even higher proportion, the fear that the Government might be impeded in its procurement would be just a bogey without any reality. The Government, through all of its agencies, buys, I have been informed by the Agricultural Marketing Service, somewhat more than 2 percent of the total product in this field of the United States. That is small in percentage, but it still amounts to somewhere in the neighborhood of \$200 million worth of meat and meat products per year. And I do not believe that it is economic realism to conjecture that, with a \$200 million market at stake, there is going to be a monopolistic situation which would restrict bidding to the point that the Defense Depart-

ment would be unable to get bids or would be afflicted with artificially priced-up bids. With \$200 million of market available, there are going to be bidders.

Another objection that has been raised by the Department of Agriculture is that no mechanical or chemical means of anesthetization or stunning can be infallible. They raised the specter that, if Swift & Co. were using the captive-bolt pistol on cattle, and a cartridge misfired or a steer jerked its head and that animal were not made insensible with a single blow or gunshot, the whole program would break down because Swift & Co. would be unable to certify that it had used humane methods on all animals. This is really reaching for an objection.

It seems to me that the bill, on its face, in all commonsense and on the basis of legal precedent, is reasonably written. It allows the Secretary of Agriculture to designate those methods which are acceptable as meeting the standards laid down by this bill, or, if he prefers, he may use the reverse procedure and merely designate procedures which are not acceptable as meeting the standards required by this bill.

Obviously, the bill intends that the Secretary shall designate what are humane methods. And, if a packer uses the methods that are designated as being normally, reasonably, ordinarily humane, certainly, it is not the intention of the bill, nor would it be sound law to conjecture, that a failure once in a thousand or once in a hundred, or a failure on any random basis, is going to invalidate the whole legislation and make it so.

I think that the Department of Agriculture here, as in its other objections to humaneness of carbon dioxide and other factors, is reaching way beyond its proper function to object to a bill rather than to give the committee factual advice.

Senator HUMPHREY. I must say that they surely are. We have regulations relating to the preparation of serums and vaccines that are not foolproof. I haven't heard any Department witness come up here and suggest that those regulations be repealed.

Mr. MYERS. It is obvious that there are carcasses which get through the meat-inspection procedure which, if we sought technical perfection, should not go through. It is not reflection on Dr. Miller's force to say that. Infallibility is not common in this world, and this law is not adequately objected to by the contention that infallibility is not going to be attained in this field, too.

The last point I am going to comment on, Mr. Chairman, is purely personal. I have made the point before in appearance before you that we are willing, as far as the committee wishes, to discuss economics, technicalities, mechanics, and to meet all of the objections that are raised on those grounds.

But I would not like to close any remarks to the committee without the point that they are minor, actually—the mechanical, the economic considerations—because what we are talking about here is something which is conceded, by everyone who has studied it, to be an immorality. It is an immorality of a type which the laws of the many States of the Union and the laws of the Union itself have condemned in other fields.

This is an immorality which the legal code and the ethical code of the American people condemn. The remedy which is sought should

not be refused. If the imagination of the Senate encompasses the magnitude and the nature of the problem it will not be refused because of any petty objections that captive-bolt pistols may not always work perfectly, or that it may cost 1.2 cents per hog instead of 0.9 cent per hog, and so on.

We have before us an issue which the American people feel deeply about. You have evidence of that.

I close by expressing confidence that if the Senate comes to see and to understand and to feel what is happening to an animal when that joint breaks, we will get the legislation for which we ask.

If the Senate committee wishes to ask any questions, I would be happy to answer. If not, I close by thanking the committee, and with respect to Senator Aiken, particularly by thanking the chairman, for the courtesy with which you have listened to extended remarks.

Senator HUMPHREY. Senator Aiken, do you have any questions?

Senator AIKEN. No more questions.

Senator HUMPHREY. Senator Symington?

Senator SYMINGTON. As I understand it, you think that this matter has been studied enough over a period of years. Is that correct?

Mr. MYERS. It has, indeed.

Senator SYMINGTON. Do you think this is a deliberate effort on the part of those who are opposed to the bill to avoid having the bill go through?

Mr. MYERS. Yes, sir. Including the Department of Agriculture.

Senator SYMINGTON. Why would the Department of Agriculture be opposed to humane slaughter?

Mr. MYERS. I believe that it is a philosophical conviction of the present administration of the Department of Agriculture. The Department is consistent. I don't say that that is an evil thing. I have objection to the indiscriminate enactment of regulatory laws if there is no need for them. I, too believe that the fewer laws the better when things can and will be done voluntarily and properly. So that I am not condemning that philosophy. I am merely saying that I believe that it is basic in the present philosophy of the Department of Agriculture to object to laws that restrict or regulate industry.

I believe also—without imputing to anyone any objectionable motives—that there is a sympathetic atmosphere. I believe that the Department of Agriculture is inclined, understandably, to see sympathetically the problems or the alleged problems of the packing industry. And this is a sympathy which has been demonstrated in many other ways.

Senator SYMINGTON. This present administration of the Department of Agriculture has only been in operation for 5 years. We have never had a humane slaughter law. So would you say that it has been the philosophy of the Department of Agriculture in both administrations not to have it?

Mr. MYERS. No, Senator. I will have to say that if you are going to take me back through the philosophy of preceding administrations of the Department of Agriculture, you are going to get me fairly quickly out of my depth. There never was a bill proposed to any preceding administration of the Department of Agriculture.

Senator SYMINGTON. Why not?

Mr. MYERS. Mostly because the humane societies of the United States were too patient. The humane societies of the United States,

as other testimony to come, I think, will make clear, have cooperated fully, very fully, for 30 years with the meat industry in attempts to persuade the industry to make progress voluntarily.

You will hear later that the American Humane Association, which is the oldest of the national organizations in this field, has maintained a joint committee relationship with the American Meat Institute for approximately 30 years in the attempt to get voluntary progress. The decision, finally, by the humane societies of the United States to seek legislation resulted basically from the fact that 25 to 30 years of genuine cooperation didn't produce progress.

Senator SYMINGTON. Mr. Chairman, I have no further questions of the witness.

I understand some of the witnesses would like to show a picture. If it is shown I would like to see it. I am wondering what time the picture will be shown so that we could be sure to be here.

Senator HUMPHREY. I know of that request, Senator Symington. I think the request should be granted as a part of the testimony. It is a matter, I think, for us to determine what would be the most desirable hour for maximum participation.

Senator SYMINGTON. I spoke to Senator Ellender about it and received a note saying it would be up to a decision of the committee. My impression is that he would favor it, especially if the committee favored it. Because of a death or illness in the family, he had to leave. I think he left it in the hands of the Chair, subject of course to the approval of the committee.

Senator AIKEN. Is this a picture prepared by Mr. Myers' organization?

Mr. MYERS. We did not prepare the picture, Senator Aiken.

Senator AIKEN. Do you know about it?

Mr. MYERS. I know about it. I can tell you its origin.

Senator AIKEN. Does it depict normal, average conditions?

Mr. MYERS. It does.

Senator AIKEN. Where was it made?

Mr. MYERS. It was made for the education of groups of the public so that they might see what is normal procedure.

Senator AIKEN. Where was it made?

Mr. MYERS. It was made in Washington. May I say this, Senator Aiken: The man who arranged for its production, Mr. Arthur P. Redman, of Seattle, Wash., who is a director of my society but who acted purely individually in this, is in the room. I would like to ask him: Mr. Redman, where was the picture made?

STATEMENT OF ARTHUR P. REDMAN, MEMBER, BOARD OF DIRECTORS, HUMANE SOCIETY OF THE UNITED STATES, SEATTLE, WASH.

Mr. REDMAN. It was taken at Fife, just across the river from Takoma. It was taken at the plant of the Federal Meat Co.

Senator HUMPHREY. Is that a federally inspected plant?

Mr. REDMAN. No, sir.

Senator AIKEN. The Federal Meat Co. cooperated with you fully in making the picture?

Mr. REDMAN. Yes, sir. They consented to it.

Senator AIKEN. And the Federal Meat Co. concedes that it represents their normal methods of slaughter?

Mr. REDMAN. We just told the photographer to go in and take the pictures, and he did so. They consented, the management.

Senator AIKEN. The Federal Meat Co. admits that it represents their regular methods of slaughter?

Mr. REDMAN. They have made no formal admission to that effect.

Senator AIKEN. Would they admit it?

Mr. REDMAN. Certainly, certainly.

Senator AIKEN. They would?

Mr. REDMAN. Yes, sir.

Senator AIKEN. I want to be sure that you don't have loaded pictures.

Mr. REDMAN. No, sir, there is nothing of that sort.

Senator AIKEN. I am for helping get some legislation through. I want it to be workable. But I don't want any misrepresentation in the effort to get it through.

That is all I am asking for, and that is why I questioned you this morning, Mr. Myers, about which bill the people writing me are supporting. Do they think they are supporting a bill which applies to all slaughter, or do they think they are supporting the bill which applies to only certain selected slaughter.

Mr. MYERS. I believe I answered you to your satisfaction on that. I would like to say to you in respect to the picture that was produced under Mr. Redman's sponsorship that I have seen hogs slaughtered in a variety of plants, including large and small, and the film which is offered to the committee for viewing depicts hog slaughter as it is ordinarily done.

It is not a doctored film. It was not especially staged. It is a picture of normal operation in that plant which is normal in others, too.

Senator AIKEN. Would the operator of the plant where the pictures were made be willing to furnish the committee with a statement to the effect that it represented normal slaughter processes in his plant?

Mr. MYERS. That I can't say.

Senator AIKEN. I think we should have it. If he will be willing to certify to that and make an affidavit to that effect, I would have no objection. Slaughter is not pretty business at its best.

I was in a poultry slaughtering house 2 or 3 months ago where the broilers actually acted as if they didn't mind being slaughtered and dressed and packed away. But it was a revelation to me. That was the last word in slaughterhouses.

Mr. MYERS. Mr. Redman told me yesterday that only a week or so back he again visited the owner of this packing plant, and everything is friendly. And I can say that I can certify to you of personal knowledge that this film——

Senator AIKEN. If the owner of the plant——

Mr. MYERS. I don't know about getting an affidavit today.

Senator AIKEN. Why not?

Mr. MYERS. The man is in Tacoma.

Senator AIKEN. Show the picture tomorrow then. You have representatives out there. You will get further by being absolutely fair with these people——

Senator SYMINGTON. There is no implication on my part that this is an unfair picture; that it is "loaded." I only heard that there is a picture that several witnesses want to show this committee. If there is any idea on your part that this is a loaded picture, I say let's not have it.

Senator AIKEN. I don't know. I have heard that this was a loaded film. For that reason I said if the owner of the slaughterhouse where the picture is taken is willing to certify that it represents normal slaughtering practices I wouldn't have the slightest objection.

Mr. MYERS. Senator Aiken, could we facilitate matters this way: During your noon recess would you, at the expense of my society, ask your secretary to place a telephone call to the owners of this plant——

Senator AIKEN. No. Have the clerk of the committee do it and have them wire us whether these pictures were taken at that time in his plant and whether this is representative of the normal operation of his plant. I don't know what is normal or not normal. If it was taken in his packing plant, we want to know if this film is representative of what takes place in the slaughtering operations of that plant. It may be abnormal, subnormal, or supernormal.

Senator SYMINGTON. I must say I get rather amused about some of this. We take a lot of testimony. I think the Chinese said a picture is worth a thousand words. If anybody else wants to bring some pictures in, they can. What is the difference between listening to a lot of words and looking at some pictures?

A major indictment of the Department of Agriculture and of other groups has been presented to this committee. We have listened to that and I suppose it is a matter of record. I don't quite see what is the difference between pictures and words except sometimes a picture gives a better understanding of the subject.

If any other groups or witnesses would like to present pictures, I think it would be fine for the committee to see them.

Senator AIKEN. Certainly if the owner of the plant is willing to certify that it represents normal slaughtering practices in his plant, then I haven't the slightest objection to showing the picture. I just want to make sure that it is not an exaggerated picture. If it represents normal slaughtering practices it could be helpful. Is it a sound picture?

Mr. MYERS. Yes, sir.

Senator HUMPHREY. We will inquire this noon. May I say that you have a right to show a picture, whether anybody will come and look at it or not. Senators can make arrangements for you to show the picture, even if it is in our offices. The right of petition still prevails—even if you have fallacious material. A lot of petitions are not very sound.

But the question was whether or not we would introduce this as testimony within this record. I think that in order to resolve that question, this noon we will see if we can contact the party, the firm, or the packinghouse involved as to whether or not this picture was taken on the premises, whether or not it represents the operations of the plant, and whether or not somebody can give us facts as to how big a plant this is, what kind of plant it is, et cetera. We should have that for background. It would be helpful.

Senator AIKEN. To have the record complete, I would think the colloquy between the clerk of the committee and the operator of the

plant should be recorded, of course with the operator of the plant being in full knowledge of that fact.

Senator SYMINGTON. I will say to my friend from Vermont that the last thing I would want to do would be to suggest that we look at anything that is phony. If the Chair is worried about this, if he has apprehension he can swear the gentleman, and take his statement under oath. He said he went in the plant and took the pictures under daily operation. I think we should swear him right now and have him attest to what he has done.

Senator AIKEN. That could well be part of the record.

Senator SYMINGTON. Will the Chair swear Mr. Redman and have him state what the picture is all about? I am ignorant. I know nothing about it. I would like to know more about it if I am going to vote on it.

Senator HUMPHREY. We will do that in due course.

Senator SYMINGTON. I would suggest the Chair do that now, if the Chair approves.

Senator AIKEN. Are we through with this witness?

Senator HUMPHREY. Just a minute.

Senator SYMINGTON. The picture referred to, Mr. Redman, were you in the plant when the picture was taken?

Mr. MYERS. No, sir.

Senator SYMINGTON. We have had the unsworn testimony of the witness. Why not have his sworn testimony?

Senator HUMPHREY. Mr. Redman, do you want to cooperate with this committee by swearing that the picture that has been referred to here in previous testimony was taken under your auspices, and was a motion picture taken in the Federal—what is the name of the company?

Mr. REDMAN. Federal Meat Co.

Senator HUMPHREY. Of what city?

Mr. REDMAN. Of Fife, right near Takoma.

Senator HUMPHREY. What is the name of the city?

Mr. REDMAN. I am not sure it is an incorporated town. It is really in the town of Fife—F-i-f-e. It is right across the Puyallup River from Takoma. It is practically a Takoma plant.

Senator HUMPHREY. Before we go into the final part of this, is this an established plant of some years' duration?

Mr. REDMAN. Oh, yes. It is a very excellent plant.

Senator HUMPHREY. About how many people are employed regularly in the plant?

Mr. REDMAN. I couldn't say offhand. I remember I was there one afternoon and they killed 175 hogs. They must have, I suppose, 10 or 15 employees at least.

This picture, I went there one Saturday—

Senator HUMPHREY. Before we go any further, because I want to accommodate the request that has been made here, I happen to feel that the right to show the picture is a right that should be granted. But there has been a question raised as to the nature of it, and its authenticity, so to speak, or its objectivity.

Senator HUMPHREY. You were present when the picture was taken.

What we are trying to find out is just 2 or 3 things: One, you are the sponsor of the picture, is that correct?

Mr. REDMAN. Yes, sir.

Mr. REDMAN. I was not.

Senator HUMPHREY. You were not?

Mr. REDMAN. No, sir.

Senator HUMPHREY. Can you certify that the picture was taken in this particular plant?

Mr. REDMAN. I know that because Mr. Fitz was there and he is in the picture. He has a copy of the picture. If there is anything wrong about it he would have said so.

Senator HUMPHREY. Is that the manager of the plant?

Mr. REDMAN. Yes, sir.

Senator HUMPHREY. The question then, as I understand it, to my colleagues here, is as to whether or not—you are Mr. Redman?

Mr. REDMAN. Yes, sir.

Senator HUMPHREY. As to whether or not Mr. Redman will swear under oath that this picture was taken in the Federal Meat Co., and represents the normal operations of that company.

Mr. REDMAN. It certainly does.

Senator HUMPHREY. You so swear?

Mr. REDMAN. I certainly do.

Senator SYMINGTON. I think you had better give him the oath, Mr. Chairman.

Senator HUMPHREY. All right.

Senator AIKEN. Let me say first, Mr. Chairman——

Senator SYMINGTON. I didn't raise the question of authenticity.

Senator HUMPHREY. I will do it.

Senator AIKEN. I asked the questions I did simply because somebody told me—and I can't even remember who it was told me—that there might be an effort to show the committee an exaggerated picture. And I haven't the slightest idea of where it was taken or who took it. I am simply watching out to see that the testimony is fair all around.

Mr. Redman probably had better go under oath now so long as it has been mentioned 2 or 3 times, and make that statement.

Senator HUMPHREY. Mr. Redman, will you raise your right hand?

Do you swear that the testimony that you are about to give relating to the taking of a motion picture in the Federal Meat Co. is the whole truth, so help you God?

Mr. REDMAN. I so swear.

Senator HUMPHREY. And nothing but the truth?

Mr. REDMAN. Yes, sir.

Senator HUMPHREY. I don't care to administer oaths. I am generally opposed to it. I don't feel it is necessary. Most people are honest. I think it is too bad that some people think they are not.

The Federal Meat Co. is in your home State?

Mr. REDMAN. Yes, sir.

Senator HUMPHREY. You visited this plant?

Mr. REDMAN. Yes, sir.

Senator HUMPHREY. You know the manager of the plant?

Mr. REDMAN. Yes, sir.

Senator HUMPHREY. You sponsored the taking of a motion picture of the slaughtering operations in this plant?

Mr. REDMAN. Yes, sir.

Senator HUMPHREY. These were hog slaughtering operations?

Mr. REDMAN. Yes, sir.

Senator HUMPHREY. And you know this picture was taken?

Mr. REDMAN. Yes, sir.

Senator HUMPHREY. And the picture we would see, if exhibited, would be the motion picture taken in the Federal Meat Co. plant?

Mr. REDMAN. Yes, sir.

Senator HUMPHREY. You have sworn that this is a true and authentic picture that represents the regular operations of the plant, is that correct?

Mr. REDMAN. Yes, sir.

Senator HUMPHREY. That is plenty for me.

Senator SYMINGTON. Mr. Chairman, may I ask a question of Mr. Redman?

Senator HUMPHREY. Certainly.

Senator SYMINGTON. Why did you take this picture?

Mr. REDMAN. I thought the public should know what the facts are.

Senator SYMINGTON. Do you believe this is comparable to the way that livestock is slaughtered in other plants?

Mr. REDMAN. I have very little knowledge of other plants.

Senator SYMINGTON. This is the only plant that you have knowledge of?

Mr. REDMAN. No, I wouldn't say that. I have seen the operations of Swift & Co. and a small plant near my hometown.

Senator SYMINGTON. That is what I am getting at. You have seen the operation of a large plant. Is this comparable to what you saw in a large plant?

Mr. REDMAN. I think so.

Senator SYMINGTON. I think that is very important, Mr. Chairman. Let's get that on the record.

You say that what you have seen in other plants, in large plants, is comparable to what is in this picture, is that correct?

Mr. REDMAN. Yes, sir.

Senator SYMINGTON. Based on your observations is there any difference between the operations in the larger plants and in this plant? If there is any difference I wish you would state same for the record.

Mr. REDMAN. I know of no such difference.

Senator SYMINGTON. You know of no difference.

I have no further questions, Mr. Chairman.

Senator HUMPHREY. I would like it understood that my presence here today in the role of an acting chairman is strictly in that position; the hearing is before the full committee and I am merely acting as the chairman in the absence of Chairman Ellender at his request.

The measure before us has already been favorably reported by the subcommittee of which I am chairman. I am very happy to participate in these proceedings but I did feel we ought to have it clearly understood that this is a full committee hearing. The subcommittee action has taken place. Chairman Ellender is responsible for the full committee activities.

We will briefly recess for a quorum call.

(A brief recess was taken.)

Senator HUMPHREY. The committee will be in order.

Just prior to our recessing to answer the quorum call I had asked permission to have placed in the record a statement which was made a

part of that record. I don't recall whether I asked for permission relating to the statements in the record of the hearing on Wednesday, May 9, 1956, but I do now. The statements will be incorporated at the appropriate place. I want to say that the spirit of that statement was one of objective inquiry into the purposes of legislation, and of course we welcome the statements and the position of anyone for or against the proposed legislation.

We are privileged to have as a witness this morning Senator Monroney of Oklahoma. We have a rule that Members of the Congress who seek to testify are given priority of opportunity to do so. Senator Monroney is due at two separate committee meetings right now that I know of and also on the Senate Floor.

**STATEMENT OF HON. A. S. MIKE MONRONEY, A UNITED STATES
SENATOR FROM THE STATE OF OKLAHOMA**

Senator MONRONEY. Thank you, Mr. Chairman.

I wish to testify in favor of House bill H. R. 8308. I first want to compliment the committee on having these hearings. I am not able to agree that the bill should be brought "cold" to the floor of the Senate after passage of the House. I always feel that a hearing by both of the legislative chambers adds to public information, increases understanding of the bills, and increases support for good legislation.

I come from one of the largest cattle raising States in the Union. Raising of livestock is a major part of our agricultural economy in Oklahoma.

I would like to start my testimony with the resolution which the distinguished chairman put in the record before the recess to answer the quorum call, by the General Board of Social and Economic Relations of the Methodist Church.

The resolution provides:

First. This board opposes a widespread situation in this country where millions of meat animals for American tables are slaughtered every year under conditions of unthinkable brutality.

Second. We strongly urge increasing use of humane slaughtering methods which have long been in use in Britain, Holland, Switzerland, in all the Scandinavian countries, and also in New Zealand and the Fiji Islands, and we commend the several American packing plants which have employed such methods, the use of anesthetics, a captive-bolt pistol, * * *

Third. We protest the delay in dealing with such a situation and call upon the Congress to enact at once the legislation necessary to correct the present situation and to ensure humane slaughtering methods in the packing plants of the United States. Such bills as S. 1497 and H. R. 8308 are samples of the legislation required.

I heartily agree with this statement and I fully endorse the statement made by Mr. Fred Myers, of the Humane Society of the United States.

I think the issue presented here is exemplified by the resolution of the National Methodist Church. We are not only concerned in having our packing plants and our slaughtering houses merely physically clean and free of germs. That is not quite enough. If we believe in the spiritual values that we profess, we have a duty to have these plants morally clean as well.

The unspeakable brutality that goes on daily in furnishing the meat for American tables, I think, needs to be corrected and needs to be corrected in the manner provided for in this bill.

The world was shocked when the Russians launched Sputnik No. 2 with one single dog in it. I was shocked, too. But the thought struck me that daily, in this country, as a part of our normal commerce, more unspeakable brutality is inflicted on some tens of thousands of meat animals in our slaughterhouses.

I was impressed with Mr. Myers' statement, that it is not only cruel to the animals but it is cruel to the men who must wield the sledge hammer on the heads of the meat animals or string up and scald the hogs while they are still alive.

It seems to me that the high turnover, and the extremely high accident rate on the floors where these animals are thus handled, would have led long ago to corrective methods by the leaders of the meat-packing industry.

Certainly my experience in talking to the men and seeing these conditions myself leads me to believe that no one would welcome corrective legislation so much as the men who are compelled to earn their wages by engaging in this unspeakable brutality.

I regret very much the opposition to this bill of two great farm organizations, the American Farm Bureau and the National Grange, as well as the American Livestock Raisers Association. I do not feel that they have been properly advised as to the purposes of this bill. I do not believe that their resolutions genuinely represent the thinking of the members. I have never known a farmer in my life who believes in brutality or cruelty to his animals.

They practice "animal husbandry." The very name implies the way that they care for their animals. They feed and water their livestock, and bring them in when the weather is inclement. It would require a split personality if they favored the brutality in the slaughtering of the animals which they have done so much to care for.

I have seen children in 4-H Clubs and the Future Farmers raising these animals, learning their habits, showing them with great pride at the livestock shows. I certainly know that those boys and girls who have put in so many hours in raising their animals would not want to see them slaughtered by the methods current in our packing plants today.

The boards of directors of these great organizations may have resolved but that does not represent the true feeling of the heart of the American farmer. I blame this primarily on the misrepresentation, deliberate and intensive, of the American Meat Institute.

I have never seen a more vicious example than the lobbying campaign that has deliberately sought to mislead the American public, the livestock raisers, and others.

The other day I made a brief speech in the Senate to insert a fine editorial from the New York Times demanding action on this matter. Three livestock raisers happened to be here to testify in behalf of all of our livestock raisers' associations in my State. They happened to be in the gallery.

After I had explained a bit about the bill they agreed that was in no wise the bill that had been described by these giant meatpackers as the one before the Congress. They were led to believe that this bill, if passed, would lead inevitably to Federal legislation requiring anesthetizing of animals before branding or dehorning on the range and things of that kind, and that it would cause liquidation of thousands of small local meatpacking plants.

When we explained the purpose of the bill to them they said that it had been completely misrepresented to them by the representatives of the big meatpackers.

It is a very sorry state of affairs when a business representing a vital part of our economy will deliberately, with a well-financed lobby campaign, misrepresent the laws that the Congress is about to pass. The American Meat Institute knows we do not have the authority to pass laws dealing with the handling of livestock in purely intrastate activities on the farms of America. And yet they are willing to stoop so low as to try to convince the great American farm families that the long arm of the Federal Government is going to reach into the day-to-day operation of raising livestock.

The bill affects only the Federal-inspected meat plants, and it deals only with the prohibition of purchase of meat which has not been processed under humane slaughtering methods.

I feel that it is a distinct disservice to the farmers, to the cattle raisers, to the general public, to have an institution which is supposed to be the representative of a great industry deliberately try to interfere with the orderly process of legislation by such gross misrepresentation.

Senator HUMPHREY. Will the Senator yield at that point?

Senator MONRONEY. I am happy to.

Senator HUMPHREY. In the hearings of May 9 and 10, 1956, we went into the scope and jurisdiction of the Federal powers, as contemplated under legislation much more comprehensive and much more severe, if the word can be used, than anything contemplated in S. 1497 or the House resolution. We discussed with the Department of Agriculture representatives and others how far the Federal Government might go even under a much broader bill than the one before us.

And as you have properly pointed out, Senator, Federal activity and Federal jurisdiction does not include cattle on the farm, and in no way, shape, or manner affects livestock raising as such. It doesn't even affect livestock marketing for intrastate purposes but only for interstate purposes. And it is a disservice to the American people and to the farmers and to the cattle raisers to misinform them through a responsible organization that has substantial funds at its disposal for purposes of publicity and propaganda and education.

I had hoped in these 2 years that have passed since the first bill was placed in the Senate calendar that we might have a spirit of cooperation and of progress beyond what we have seen.

I don't want to appear to be saying that packers have made no progress, because some have. The truth is that some of them have done very well. But the truth is also that the predominant power in the packing industry seems to hush the voices of those who have already applied humane slaughtering methods quite successfully.

Senator MONRONEY. It would be a great help if the results of some firms, as outlined in the testimony of Mr. Myers, were also disseminated by the American Meat Institute, which undoubtedly represents many of these packers who have already put in reforms.

Senator HUMPHREY. I introduced 2 years ago in the testimony the exhibits of certain firms such as the Hormel Co., which has its home office in Austin, Minn., exhibits showing what they had done in terms of humane slaughtering practices which they had heralded to the

entire industry, and which they had broadcast throughout the entire merchandising world of beef and pork products with praise and with commendation. They were literally bragging about it, and rightly so.

But when you insist that this be done for those areas of the meat-packing industry that will have to meet Federal specifications for Federal purchases, then a great hue and cry goes up. I think it is quite clearly understood that the Federal Government can impose the regulations that it wishes for the goods that it buys.

Senator MONRONEY. That is the right of any purchaser. To say that it reaches the long, strong arm of Federal regulation to the farms of America is a complete and gross misrepresentation and it certainly does not advance the reputation of the national organizations which purport to represent this industry.

Mr. Chairman, I have no further testimony. I do want to thank you for having the courage to bring this bill up at this time. I know that Chairman Humphrey and other members of the Agriculture Committee will be seeking its passage and opposing continuing to delay year after year with a fictitious plea that we need more time to study a thing that is already going on in many of the more progressive meat-packing countries. We must establish humane slaughtering and improve the working conditions in the packing plants of America.

I thank you for the opportunity of appearing.

Senator HUMPHREY. Senator Monroney, it is very helpful to have your testimony, coming as you do from one of the great agricultural States, proudly and well representing the thousands of farmers of the great State of Oklahoma.

I know your voice wouldn't be raised in behalf of this legislation unless you thought that it fulfilled their most worthy purposes.

Senator MONRONEY. If you can get the information to them.

Senator HUMPHREY. That is right.

Senator MONRONEY. But if there is an iron curtain of propaganda that is completely unrelated to the facts, then obviously there are going to be some questions raised even by the farmers and cattle raisers who would not permit on their own farms a one one-thousandth degree of the brutality that is mass produced in many of the packinghouses of America.

Senator HUMPHREY. Thank you, Senator.

Senator MONRONEY. Would you excuse me? I have to go to another committee.

Senator HUMPHREY. Certainly.

The next witness is Mr. Rutherford T. Phillips, executive director, American Humane Association.

STATEMENT OF RUTHERFORD T. PHILLIPS, EXECUTIVE DIRECTOR, AMERICAN HUMANE ASSOCIATION, DENVER, COLO.

Mr. PHILLIPS. I have a prepared statement which I will submit. Mr. Myers has given a very complete outline of the subject, and also Members of the Senate have testified. I will try not to repeat some of the things that they have said.

(The prepared statement follows:)

Mr. Chairman and members of the committee, my name is R. T. Phillips. I am executive director of the American Humane Association headquartered in Denver, Colo. It is my privilege as its executive director to represent this 81-year-

old national federation of local and State humane societies and their hundreds of thousands of humane-minded members. The American Humane Association sincerely appreciates this opportunity to express its views on humane slaughtering legislation. Also here to file statements in support of H. R. 8308 and S. 1497, are various representatives from some of the leading animal protective organizations of this country.

It is my hope that H. R. 8308 and S. 1497, relating to the humane slaughter of livestock, will receive favorable action by the Senate Agriculture Committee. The purpose of this bill is to establish a national policy that livestock should be slaughtered in the most humane, practicable manner and to implement that policy the bill requires that, after December 31, 1959, Government procurement of meat and livestock products shall be only from processors who, in all their slaughtering operations, are complying with methods of slaughter determined by the Secretary of Agriculture to be the most humane and practicable. We believe such a bill, as written, is entirely fair, since it would allow slaughterers freedom to make their choice of several methods and facilities for approved humane slaughtering, and a time leeway for compliance is granted.

The demand for Federal legislation has met a ready response and, as everyone knows, the volume of mail received by Members of Congress on this subject has been unusually large. The public, the press, and even the packing industry, itself, has admitted the need for the adoption of humane slaughtering methods as rapidly as possible. It is my belief that H. R. 8308 and S. 1497 provides a major step toward the universal use of humane slaughtering methods.

Too large a portion of the American slaughtering industry still uses inhumane methods. I am not going to discuss the various forms or kinds of inhumanity that are perpetrated upon animal life, as I believe that you, as a group, have received that information at the last hearing or through the press. We all know that slaughtering is not a particularly attractive business. We, in the humane movement, fully understand that certain certain procedures are necessary for the proper processing of meat and poultry, but we are fully united in our belief that inhumanity to animals is not necessary.

There are in the United States humane methods of slaughter already in use. We know, and you have had the information given to you, that the slaughtering industry in Britain and the Scandinavian countries and, in fact, in practically all the nations of Europe has been, for some time, immobilizing and making insensible to pain all animals and poultry before bleeding and slaughter.

The time for a study bill has passed. Before and since the legislation was first introduced in 1955, methods of humane slaughter have been developed, tested, put into use. A score of packers, including nearly all of the major packers, have installed humane stunning methods on one or more species of livestock. Today, approximately 12 million animals per year are receiving a humane death. This is certainly evidence that the suggested methods are practical and economical. The American Humane Association has recognized the efforts of these progressive packers by awarding "seals of approval" for humane beef slaughter, or the veal or lamb "seal." But still, only 9 percent of slaughtered is humane. We now need the force of law to bring other livestock slaughter up to a standard that will put America on a par with the rest of the world. We need the law to protect the progressive packers and to give recognition to their high standards.

I believe you are familiar with George A. Hormel & Co., which immobilizes hogs by the use of carbon dioxide gas. In 1952 the then new Hormel method of carbon dioxide immobilization of hogs was introduced to the packing industry. There was apparently an enthusiastic reception to the information made available and yet, in 1958, Hormel, Oscar Mayer and three other plants are the only packers using or installing this method. Since this innovation went into practical operation, millions of pigs have gone to slaughter in other plants in the old-fashioned hoist and slit process. Yet, it is apparent that Hormel has found the method practical, economical, and even profitable.

There are other practical ways available for achieving humane slaughter, as shown by the adoption of the captive-bolt pistol by a considerable number of packers.

The Cash-X captive-bolt pistol is reasonable and about 350 stunners are in use in this country. It is used by 30,000 packers throughout the world. (The cost of the pistol is about \$125.)

Electric stunning or carbon dioxide immobilization before slaughter in the poultry-packing industry is used in several plants.

The Remington humane stunning instrument, for example, has undergone extensive field tests and has been used successfully on hundreds of thousands of head of cattle. This instrument stuns cattle with a precision blow with vastly superior results to the widely used sledge. This unit should get much faster acceptance than the carbon dioxide apparatus because it is relatively inexpensive. We wish to acknowledge the leadership of some of the major packers who have tested this stunning instrument in spite of discouragement, due to early mechanical difficulty, and have installed stunners in the regular beef-packing process. (The cost of the Remington stunner is \$240.)

The Schermer stunner, a captive bolt, is reasonable (costing about \$125) and several hundred are in use in American plants. The Schermer hog lift is widely used in Germany and can handle 200 to 300 hogs per hour. There is little question that it can be adapted to use on our more active American hogs in the medium size packing plants. (The cost of this lift is \$1,345.)

An authority on livestock has stated that the whole livestock industry must be taught about bruise losses to help that profit-short industry.¹ He points out that an animal can be bruised until he bleeds to the point where his blood pressure is zero. Those packers using humane methods have found that stock bruising is reduced, morale among the employees is improved, and profits are likely to be increased.

The proposed law, while it involves compulsion, does not predicate unfair demands or regimentation. More than one method will be available and the recommendations will be based on careful study by the Secretary of Agriculture and an advisory committee representing concerned interests. Humane slaughter should be profitable in the long run to the packing industry because kindness is good public relations and good business. We are sure that the packers would like to eliminate the cruelty which now exists, but harsh killing methods have been taken for granted because they have been practiced for years. Voluntary committees of the packers and the humane societies will continue studies to develop new methods and improve on the existing ones.

Congress, by its concern with this problem, in the Senate and House hearings of the past 2 years and in these hearings today, has recognized the need for action. The public is awaiting the congressional decision.

Now is the time to support the acknowledged need for humane slaughter with the force of law. We urge you to act favorably upon H. R. 8308 and S. 1497.

Mr. PHILLIPS. I represent the American Humane Association, which is the 81-year-old national federation of local and State humane societies, and their many, many members which I think the Senators and committee members and Members of the Congress realize constitute a sizable part of the population in view of the mail that has come in on this particular subject.

Senator HUMPHREY. May I digress for a moment to say that sometimes I am of the opinion that a little misinformation gets out in the mail, because the chairman of this subcommittee, the present acting chairman here, has reported twice to the full committee humane slaughter bills. We spent a great deal of time trying to get these reported.

I regret that there has been delay. But it gives me an opportunity now to say that the delay has not been on my part. I want that quite clear. It is rather difficult sometimes, however, to penetrate the fog of confusion and uncertainty that surrounds many operations in Washington. I never was quite able to find out just where the delay was coming from, or, rather, how it was being motivated.

Mr. PHILLIPS. I would like to say in connection with the question raised earlier by Senator Aiken that I think the supporters of the various humane societies and the American Humane Association are perfectly aware of the intent and wording of the present bill. We have made it very clear. We were very happy when you so generous-

¹ Dr. Joseph Rickenbacker, agricultural economist of the U. S. Department of Agriculture. From *The National Provisioner*, March 8, 1958.

ly introduced the first bill 3 years ago, and the present bill which is one of providing incentives rather than penalties, which is in a sense a compromise but a bill which the people in the humane field briefly will accomplish the overall purpose and will be helpful.

Senator HUMPHREY. Let's get this on the record because here again we see a great deal of misrepresentation as to the purposes of S. 1497, the amendment that follows out the action of the House in the House bill. The House number was H. R. 8308.

S. 1497 has no punitive powers in it.

Mr. PHILLIPS. That is correct.

Senator HUMPHREY. There are no penalties in terms of fines, jail sentences, et cetera. Is that correct?

Mr. PHILLIPS. That is correct.

Senator HUMPHREY. So that the police power is not exercised in terms of what the opponents have frequently said; namely, that the Federal Government would project its powerful hand to the back or the throat of the individual citizen with punitive police powers; is that correct?

Mr. PHILLIPS. That is correct.

Senator HUMPHREY. The power—if you can use that phrase in this proposed legislation—is through the incentive of a Government contract; is that correct?

Mr. PHILLIPS. That is correct.

Senator HUMPHREY. In other words, if you are going to do business with the Federal Government, you are going to have to meet Federal specifications. And one of the Federal specifications in the meatpacking industry will be that the meat products purchased by the Federal Government and its agencies shall meet certain specified humane slaughtering standards as prescribed in the legislation or by the Secretary of Agriculture; is that correct?

Mr. PHILLIPS. That is correct, Senator.

Senator HUMPHREY. This is a compromise bill, is it not?

Mr. PHILLIPS. It definitely is a compromise bill which still carries on the intent of the legislation.

Senator HUMPHREY. And it affects only those products that move in interstate commerce, does it not?

Mr. PHILLIPS. That is correct.

Senator HUMPHREY. Do you know of any prohibition of law that denies the Federal Government the right to prescribe the standards or the specifications for materials or services that it may purchase?

Mr. PHILLIPS. I would not know of any.

Senator HUMPHREY. For example, we are building a Senate office building across the street and we build Veterans' Administration hospitals. Isn't it true that frequently the building requirements of a Federal building go far beyond the building requirements of a private building?

Mr. PHILLIPS. That is right.

Senator HUMPHREY. And the Federal Government deems it its proper right to lay down whatever specifications it may so desire?

Mr. PHILLIPS. That is correct.

Senator HUMPHREY. Whether it is a flashlight battery or an atomic reactor; isn't that true?

Mr. PHILLIPS. That is true.

Senator HUMPHREY. What this bill provides, in other words, is for laying down specifications for food products that will be utilized by Federal agencies, and presumably consumed by persons under Federal jurisdiction; is that right?

Mr. PHILLIPS. That is correct.

Senator HUMPHREY. I wanted to get it straight so that no one would feel that there was a sheriff involved in it, that there was some kind of gestapo that was going to work over the entire landscape. This is a modest, compromise, beginning approach to the whole subject of humane slaughtering practices, is it not?

Mr. PHILLIPS. That is right.

Senator HUMPHREY. And it has certain provisos within it that give certain exemptions and protections that are vital to our constitutional rights; is that not right?

Mr. PHILLIPS. Yes, sir.

Senator HUMPHREY. All of these you support?

Mr. PHILLIPS. That is right. And I think it sets a standard, if it becomes law, for the rest of the industry which it has in the past because it indicates public support as indicated in the House.

Senator HUMPHREY. It does not deny a study of approved methods?

Mr. PHILLIPS. No, sir.

Senator HUMPHREY. It establishes a means of further study of improved means of slaughtering?

Mr. PHILLIPS. Yes, sir.

Senator HUMPHREY. This is for the benefit of the industry, is it not?

Mr. PHILLIPS. I would say it is.

Senator HUMPHREY. I just wanted to get this in while we had a witness here who represents these great organizations. I wanted to get these points clearly in the record because if you would read the mail that I receive from those who oppose this legislation, you would think that the goosestep of Hitler and the Red terror of the Kremlin was about to descend upon us.

Senator SYMINGTON. Mr. Chairman, could I inquire as to the plans of the committee for this afternoon?

Senator HUMPHREY. We will keep going until about 1 o'clock, Senator.

Off the record.

(Discussion off the record.)

Senator HUMPHREY. On the record.

Mr. PHILLIPS. There has been mention made of the joint committee of the American Humane Association and the American Meat Institute, and the study was done. While the committee started some 30 years ago, there was a definite recess of activities caused by World War II, and the resumption did not start until about 5 years ago.

I do want to give credit that members of the committee and members of the industry spent a great deal of time and did support the development of the Remington humane stunner. I think that the impetus provided by the legislation which you introduced in 1955 had a great deal to do with this, and I think that the humane and progressive members of the packing industry deserve credit for what they have done.

There are today, as past testimony at the other hearings and some here today have indicated, a number of practical, reasonable, humane

slaughter methods available. These have been adopted by some of the packers. However, while some 15 packers have received the seal of approval for beef slaughter or for lamb slaughter or for veal slaughter of the American Humane Association, the total kill still only represents about 9 percent of the total slaughter.

Senator HUMPHREY. At this point in the testimony will you give us the names and addresses of the 15 or more companies that have received the so-called seal of approval?

Mr. PHILLIPS. Yes, sir. Each seal is given only for the type of slaughter which is involved, and not for the overall operation. I will be glad to provide that.

Mr. PHILLIPS. The Hormel carbon dioxide immobilization method has been discussed well enough so that the committee knows all about that.

The Cash X captive bolt pistol, getting down to the more reasonable methods, costs about \$125. I understand that there are about 350 of these in use in this country. And approximately, by the manufacturer's advertising, 30,000 packers throughout the world are using it with success.

The Remington humane stunning instrument, which has also been dealt with at other meetings, is available at a cost of \$240, and there are, I think, approximately 200 packers using this method now.

The Schermer stunner, a captive bolt pistol costing about \$125, is in use in a good many American plants. Several hundred of the stunners have been sold. Schermer also has a log lift which is in use in Germany, handling 250 to 300 hogs per hour. The cost of this is \$1,345. There is a demonstration model on the table. It appears to be adaptable to our American methods in the smaller plants. And we have had testimony a little while ago on the carbon dioxide immobilizer.

It seems to me that the bill that you introduced, sir, in 1955, originally called for a 5-year study period. We have gone through 3 years of study. I think the very fact that many packers are adopting these methods is an indication that the study, development, sales, of these methods have demonstrated their practicability, their economy. And it seems that now is the time to put a stronger force of legislation back of this so that you don't go on indefinitely studying.

An authority on livestock, who is an agricultural economist, has pointed out recently that bruise losses are a great concern to the profit-short packing industry. It has been found that an animal can be bruised any place from birth to the bleeding rack. An animal will still bruise up until the time his blood pressure drops to zero. Here is an area where even in the slaughter of animals there is still a bruise loss.

Mr. Myers has pointed out some facts on that earlier.

The packers who have used humane methods are finding that their stock bruising is reduced, that the morale among the employees has improved, and profits seem to be increased.

To sum up, the present law or proposed law, while it involves an indirect compulsion by providing incentives, certainly does not make any unfair demands for prescribed regimentation. There is more than one method available, or the Secretary of Agriculture may merely designate those methods which are most satisfactory.

I think humane slaughter will be profitable to the packers in the long run, because kindness is good public relations, and because it is good business. It is bringing the process into a sense of modern activi-

ties, and will bring improved operations all through the killing process and the packing process.

I would like to submit for the record statements of C. Raymond Naramore, vice president and executive director of the Humane Society of Rochester and a member of the board of directors of the AHA, and a statement by Mr. Clifton E. Johnson, executive secretary and manager of the Michigan Humane Society, and a similar statement by J. J. Shaffer, managing director of the Anticruelty Society of Chicago.

Senator HUMPHREY. All of them will be made part of the record as if delivered in testimony. And your full statement will be printed as a part of the record, as was that of the preceding witness, Mr. Myers. Thank you. We are very grateful to you, Mr. Phillips.

(The prepared statements follow:)

STATEMENT FILED BY C. RAYMOND NARAMORE, VICE PRESIDENT AND EXECUTIVE DIRECTOR, HUMANE SOCIETY OF ROCHESTER AND MONROE COUNTY, ROCHESTER, N. Y.

Mr. Chairman and members of the committee, my name is C. Raymond Naramore. I am vice president and executive director of the Humane Society of Rochester and Monroe County, N. Y., a member of the board of directors of the American Humane Association, and chairman of the American Humane Association's committee on awards for humane slaughtering.

Nearly 8,000 members of the Humane Society of Rochester and Monroe County, N. Y., have long been disturbed by the knowledge of common practices in the American slaughterhouses.

Three years ago, the board of directors of the Humane Society of Rochester and Monroe County appointed a committee on humane slaughtering. The committee has worked actively with the American Humane Association in its attempts to bring about improved slaughtering methods. It has continually brought to the attention of the members of the Humane Society of Rochester and Monroe County the great need for instituting humane slaughtering on the killing floors of the meatpacking houses in the United States.

We in Rochester and Monroe County firmly believe the progress of humane thinking makes this the right time for the enactment of legislation for humane slaughtering, for we are convinced that a great tide of desire for humane killing methods has been sweeping across the country.

In Rochester and Monroe County, meatpackers have unanimously stated to our humane slaughter committee their desires to use practical methods of humane slaughtering in their business of meatpacking.

Many leaders in the national meat industry have said that they, too, are desirous of using humane killing methods. The National Provisioner, leading publication of the meatpacking industries, has stated editorially: "We believe that the passage of some kind of humane slaughter law is not too far off."

There are now available several improved methods of humane killing. These have been tried and found efficient, humane, and economical.

The utilization of these now satisfactory devices for humane slaughtering will give moral impetus to the whole humane movement in the United States, create good public relations between the meat industry and the millions of humanitarians, bring more efficient and economical processing to the packers, and eliminate the horrible, unnecessary cruelty, pain and suffering that is today such a black blot on America.

Necessary suffering is bad. Unnecessary is criminal.

The 8,000 members of the Humane Society of Rochester and Monroe County ask that you gentlemen of Congress wipe out this cruelty.

We ask you to act favorably upon compulsory humane-slaughter legislation.

We ask you to save from suffering countless creatures each year.

We ask you to pour forth the milk of human kindness.

STATEMENT FILED BY CLIFTON E. JOHNSON, EXECUTIVE SECRETARY-MANAGER,
MICHIGAN HUMANE SOCIETY, DETROIT, MICH.

As a person who has for many years been associated with animal-welfare work, I have long deplored the suffering undergone by our so-called meat animals. I have especially deplored that which is inflicted upon animals during the process of being dispatched for slaughter. As a humanitarian, this suffering has been particularly offensive since it radiates a baseness that we have sought to stamp out through humane teaching and application of kind principles in every association with the animal world. I feel that to inflict unnecessary suffering, when such suffering can be avoided, is to act in direct contradiction to the American way of life—a manner of life that came into existence as a result of a desire to extend kindness and fair play to all creatures. If we are to exemplify sincerity, then we must surely extend our principles to all forms of life dependent on we humans. Certainly, our meat animals come well within this latter category.

It stands to reason that any animal slaughtered in a manner conducive to a quick and painless death will unquestionably produce a greater amount of edible product in the grading out during butchering. I firmly believe that any undue reaction produced by the application of inhumane methods of killing only tends to render some parts of the edible product useless. If death is not instantaneous, or brought about while the animal is in a relaxed state, struggling is bound to ensue, thus adding tremendous suffering to whatever economical loss can be proven.

I am herewith reaffirming the position of the thousands of members of the Michigan Humane Society that are asking that there be passed a law that will compel all slaughterers to comply with standards and methods recommended and approved by the American Humane Association. It is quite clear that proper equipment is now available that would bring about this highly desired eradication of suffering on the part of our meat animals and fowl, and members of our society feel that there cannot be any further delay in the rectifying of inhumane practices that prevail in a great percentage of the Nation's slaughterhouses. We, therefore, urge passage of H. R. 8308 and/or its companion bill S. 1497.

STATEMENT FILED BY J. J. SHAFFER, MANAGING DIRECTOR, ANTI-CRUELTY SOCIETY
OF CHICAGO, ILL.

I am J. J. Schaffer, managing director of the Anti-Cruelty Society, an Illinois charitable organization with offices in Chicago. I also speak as a member of an American Humane Association committee that is active in studying improved methods of slaughter in cooperation with the American Meat Institute.

The Anti-Cruelty Society was accorded the courtesy and privilege of presenting its views on humane slaughter at previous hearings (Senate, May 9-10, 1956; House, April 2, 1957). Nothing of consequence has happened that would alter our views or that would prompt us to withdraw any of the proposals made in our previous statements. The purpose of our present written testimony is, therefore, solely to reaffirm concisely the already recorded position of our organization and to state to this respected Senate group that nothing else—positively nothing else—in the eventful 60-year history of the Anti-Cruelty Society has ever triggered a barrage of spirited public interest and demand for affirmative action like these compulsory humane slaughter bills you are now considering. We, as an organization, speak for over 19,500 members and contributors. And, we can assure you, we are speaking for them here today because they are in unanimous agreement that there is no question that a compulsory law should be passed without further delay.

In closing, we would like to repeat a statement we made to Congress last year: We know that compulsion is a disagreeable word in our American way of free enterprise. We don't blame packers for resenting this approach. Nevertheless, we ask packers, and all Members of Congress who may have a doubt, to take a fresh look at the problem and try to view it this way: First, while the bills we support (H. R. 8308 and S. 1497) do involve compulsion, neither predicates regimentation or unfair demands. The final decision as to whether packers will be required to use any given method will be based on careful study by the Secretary of Agriculture and his advisers and on conferences with the packers. We hope that all will realize that humane organizations want to help people who deal in livestock, not put them out of business, so please do not think that unworkable requests will be made of the law.

Senator HUMPHREY. I have now been given the citation that is on the seal as well as the packers which humanely slaughter livestock.

The figures are the production number and types of animals. Some have only the beef approval because they use it only on beef.

The figures on this exhibit are to be interpreted as yearly figures, the number of animals handled per year by the particular company that are humanely slaughtered.

(The meatpackers and figures referred to follow :)

THESE PACKERS HUMANELY SLAUGHTER LIVESTOCK—PATRONIZE THEM

BEEF ONLY

Seitz Packing Co., St. Joseph, Mo. (29,200).
 Swift & Co., nationwide (over 3,000,000).
 North Side Packing Co., Inc., Pittsburgh, Pa. (1,200).
 Peyton Packing Co., El Paso, Tex. (62,400).
 Montana Meat Co., Inc., Helena, Mont. (4,500).
 Oscar Mayer & Co.,¹ nationwide (125,000).
 Armour and Co., nationwide (3,000,000).
 Geo. A. Hormel & Co., nationwide (380,000).²
 Logan Packing Co., Bellefonte, Ohio (20,000).
 Monroe Packing Co., Rochester, N. Y. (54,500).
 Wilson & Co., nationwide (850,000).

ALL SPECIES

Tarpoff Packing Co., Granite City, Ill. (7,500).
 Paulus Market, Cedarburg, Wis. (2,100).

LAMB ONLY

Hoerter & Sons., Louisville, Ky. (7,500).

BEEF AND VEAL

The Rath Packing Co., nationwide (300,000).

I certify that these are the companies who have received the American Humane Association seal of approval. Number of animals handled humanely per year appears in parentheses in each case.

RUTHERFORD T. PHILLIPS,
Executive Director, American Humane Association.

APRIL 28, 1958.

Senator HUMPHREY. Mr. Hartenau?

Mr. PHILLIPS. Mr. Hartenau is not here. I incorporated the information, which is prices and the model of the hog lift from Schermer.

Senator HUMPHREY. If Mr. Hartenau has any further statement the record will be held open for it.

Mr. PHILLIPS. Thank you.

Senator HUMPHREY. Mrs. Madeleine Bemelmans, president, Society for Animal Protective Legislation, New York.

STATEMENT OF MRS. MADELEINE BEMELMANS, PRESIDENT,
 SOCIETY FOR ANIMAL PROTECTIVE LEGISLATION, NEW YORK,
 N. Y.

Mrs. BEMELMANS. Before speaking for myself, I would like to read testimony submitted by W. P. Holcombe, a retired meat inspector of Ann Arbor.

¹ Now installing CO₂ equipment to handle over 2½ million hogs per year.

² Hormel also humanely slaughters 3½ million hogs per year.

Senator HUMPHREY. Since Mr. Holcombe is not here can we just submit that for the record and make it a part of the testimony, and you can give us a brief summary of it?

Mrs. BEMELMANS. All right, I will.

Senator HUMPHREY. I am afraid it will prejudice other people's rights if we don't.

Mrs. BEMELMANS. It isn't long.

Senator HUMPHREY. Go ahead.

Mrs. BEMELMANS. Quoting from the letter from W. P. Holcombe:

DEAR MRS. STEVENS: Thank you for your letter of April 17. Your request that I testify personally before the Agricultural Committee was greatly appreciated and I assure you that if circumstances permitted I would be most happy to perform this service for such a worthy cause.

I have a letter from Senator Ellender, under date of March 11, suggesting that I might wish to testify. I decided then that I would do so if your organization so requested. However, for the past several months I have been handicapped by a condition more painful than serious, I hope. It is now apparent that only surgery will relieve that condition and I expect to be hospitalized the forepart of next week.

In lieu of my presence, if anything I have said, or anything I may say here, can be presented to the committee by your representatives at the hearings, I would be most happy to so testify in absentia. I would submit:

(1) No member of the committee, nor any member of any governing body is qualified to act on this legislation without first making a casual inspection of actual operations. Unless the inspection is made incognito, I assure you a group of legislators would be presented with a staged performance comparable to a conducted tour of Russia.

(2) I would ask the committee how often a ham, or leg of lamb has been carved, while observing with some concern an accumulation of blood and unappetizing discoloration of the meat around the joint. It is possible the committee might recall a long line of helpless, healthy, fully conscious hogs, sheep, cruelly shackled and dangling from one leg, twisting, squirming and screaming in agony as they approach the executioner—not for coup de grace, but the sadistic sawing and hacking at the jugular vein with methodic care not to end this agony by a careless thrust to the heart. Perhaps a close observer might have noted a hideously gruesome elongation of that poor shackled leg as a bone snapped, or the joint pulled from its socket. It might be interesting to know why we see those unwholesome discolorations. Apart from the inhuman aspect, such methods involve waste; certainly not conducive to wholesome food. No normal appetite can be whetted by the knowledge that many of those helpless, tortured animals clung too tenaciously to life. They reached the end of the line too soon, their agonized screams smothered as they dropped mercilessly, still conscious into a vat of scalding water. Is this characteristic of American culture?

(3) These sordid details, and many, many more, are submitted as supportable facts, my personal observations in line of duty, a duty I would like to erase from my memory. As a result of that duty, I recall the startling statement of a fellow inspector after one appalling day. He said: "The more I see of people the better I like my dog." He was a grizzled old veteran by the name of Fred Hoy. It was my turn to buy, but before ordering another double shot of bourbon, neat, I endorsed his statement with a handclasp across the table. I might add that I am not now, nor have ever been a drinker. In behalf of mankind it is interesting and reassuring to note that most of the employees in the slaughter rooms sought the same temporary solace.

(4) It is highly commendable that most legislators hesitate to impose restrictions of business by law, yet there are thousands of laws that do so. The requirements of the pure food laws alone, endeavoring to safeguard our health, have added millions of dollars to the cost of doing business. The preparation, display and handling of foods have required laws that imposed such a burden as to actually put many small merchants out of business. I was an inspector when many of these laws were passed and know whereof I speak. Candling of eggs, display cases, sanitation requirements, added equipment required of the dairymen, the ice cream and butter manufacturer and many, many others have imposed a tremendous, but necessary burden on business. All business, large and small, has a tremendous burden of clerical expense arbitrarily added to the cost of doing business by the Federal Government in the collection of income taxes,

labor union dues and insurance. Why should the packers be exempt from complying with the unwritten laws of common decency. Obviously, a century of unmolested violation of those laws definitely proves that the quality of mercy will never enter the profit and loss statement as a relatively insignificant item of expense without compulsion.

(5) We speak of humane stunning of cattle. Has it been your misfortune to observe this hideous operation? A powerful human being expertly swings a heavy sledge as the condemned creatures move past him. If they are lucky they crumple in partial consciousness. Perhaps they are relieved of part of the agony of throat slashing. Many of them are not, and many revive to linger in agony as they are suspended to bleed out. Quite frequently the helpless animal receives a preliminary broken snout, an ear sheared off, or an eye gouged out from a misdirected blow of the sledge. Is this humane slaughter? Are we Americans, or barbarians?

Many small slaughterhouses shoot the animals. This is gratifying indeed, but so impractical for the large packers. A teaspoonful of brains might be blemished. Then, there is the cost of cartridges. Think of the reaction of the stockholders. What happiness can be derived from the profits of such sadistic cruelty. I am thinking of the advice Jesus gave His disciples: "For even as ye do it to the least of these, so do ye it unto Me." It is reasonable to suggest that those who would scoff at, or ignore this advice would be the first to demand cocaine and a nerve block from the dentist.

Sincerely yours,

W. P. HOLCOMBE.

Since I took up your time reading that, I will cut my testimony short.

I have not come here today to weary the committee with a long recital of facts and statistics, so ably presented by other witnesses who have devoted years of study to the subject. Certainly if you gentlemen have given the matter the careful consideration which your letters to your constituents would seem to indicate, you already must be fully aware that instruments and methods have been developed which make conditions currently existing in most of our slaughterhouses inexcusable and senseless.

But I do wish to ask this committee, humbly and respectfully, how long is the will of the vast majority of the people of the United States to be flouted by a small group of willful men? It is hard to understand the motives of these men unless we ascribe them to a certain hidebound devotion to wornout usage and that same stubbornness that made them resist Federal meat inspection.

When they say that humane methods of slaughter are not economically feasible, they are not being truthful. When they say they need more time for study they are not being sincere. If they spent less money lobbying, maybe they could afford to modernize their plants. Enlightened self-interest should make them realize that it is high time to revise their public relations, as more and more people, for reasons of conscience, are becoming vegetarians.

With furious indignation, I have often defended the United States against the charge of crass materialism. I insist that the American people are as idealistic, generous, and fairminded as any on earth. But when I consider how far ahead are many countries in Europe and elsewhere with respect to decent treatment of the animals who contribute so much to our well-being, I hang my head in shame. Still, this is not my fault nor the fault of the average man.

Members of Congress have invariably told me that they have received a larger volume of mail demanding humane slaughter legislation than they have on any other subject. All over the country lead-

ing newspapers, reflecting the climate of public opinion, support these demands with force and eloquence.

If humane slaughter legislation is not enacted this year, it will be cited as an example by those who wish to prove that big business runs this country.

If more members of the committee were here, I would ask them not to break faith with the American people.

Thank you very much.

Senator HUMPHREY. I can assure you that the question will be asked.

Miss Sally Butler.

STATEMENT OF MISS SALLY BUTLER, LEGISLATIVE CONSULTANT, GENERAL FEDERATION OF WOMEN'S CLUBS

Senator HUMPHREY. First of all I want to say that we are very pleased to have you here. I have a high regard for the General Federation of Women's Clubs and for your fine work as their legislative consultant. I want that on the record.

Miss BUTLER. Thank you. We appreciate that because the general federation operates, I think, as nearly democratic as any organization in this country. We are, as you know, nonpartisan, nonsectarian. We work for what the majority of our members want.

For the record, I am Sally Butler, legislation consultant for the General Federation of Women's Clubs. I am presenting this statement for Mrs. R. I. C. Prout, the president of the General Federation of Women's Clubs.

This organization has a membership of over 11 million women in the United States of America and 60 other nations around the world. I mention the international aspect because in many countries where we have large memberships there have already been enacted laws requiring humane practices in the slaughter of animals—for instance, the British Isles and the Scandinavian countries.

By national convention action in 1956 the General Federation of Women's Clubs passed the following resolution:

Whereas studies reveal instances of cruel methods in the handling and commercial slaughter of animals, although more humane procedures have been developed and are available and practicable: Therefore

Resolved, That the General Federation of Women's Clubs endorses the objective of slaughter reform and asks club members to investigate as to conditions in their own communities and to require humane practices where needed.

I want you to note this, because this is where we can be effective:

* * * asks club members to investigate as to conditions in their own communities and to require humane practices where needed.

Senator HUMPHREY. The power of women.

Miss BUTLER. I would like you to know that our women are working and have actually visited the plants and are reporting back to us from many sections of the country.

The women of the General Federation of Women's Clubs have been active in their respective communities and States—some State conventions have taken action regarding humane slaughter of animals.

Representatives of the General Federation of Women's Clubs have appeared before congressional committees, urging enactment of laws which will make humane slaughter practices compulsory.

I would like to insert here that the general federation does not, because of certain policy, support bills as such, but I want you to know that we have worked very closely with Senator Humphrey. We do support the things in the bill. We sometimes think that the bills aren't even strong enough. We would support as strong a bill as you could get that would really require humane slaughter.

Senator HUMPHREY. You do support S. 1497, and the measure that was passed in the House?

Miss BUTLER. Exactly. However, for our records, unless we could have copies of the bills in the minutes and so on, it just means that sometimes we might say we support a bill and then they come up and say what was the bill and so on. So it is just a policy that we do not say we are supporting that particular bill, but for the record here, we are supporting the principle of S. 1497 and H. R. 8308, the duplicate bill in the House.

We are aware, of course, that many slaughterhouses do use modern up-to-date methods. We also know too many firms use outmoded cruel methods. One only has to visit slaughterhouses in some areas to see this being done. Women are particularly food-minded.

I don't know how many people have thought of this particular phase of it, but after visiting or after sitting in on a bull fight in Spain and actually experiencing the smell from an infuriated and frightened animal, it has occurred to me more than once that certainly when an animal is frightened or angry there is chemical change in the body tissue.

We care about what we serve to our families. It would seem that tortured frightened animals might have some chemical reaction that would have an effect upon the meat from such animals; and, certainly, in a civilized world there is no need for cruelty. Women abhor the thoughts of it.

There can be no possible excuse, it would seem to me for the continued use of cruel and inhumane methods of slaughter of animals, except for the expense of installing proper equipment. However, since some firms have of their own accord established a method which is more humane, others should be required to do so—so our women think. Since they do not do it of their own volition it seems necessary to have legislation which makes this practice compulsory.

We 5 million women in this country urge you, our representatives in Congress on Capitol Hill in Congress, to pass a law which will remedy this deplorable situation in the United States.

Senator HUMPHREY. I thank you very much for your statement. Before you leave may I just say that, as you have indicated here, some of the packers have installed these improved methods of slaughter.

Miss BUTLER. We have found that.

Senator HUMPHREY. They are to be commended.

Miss BUTLER. They are.

Senator HUMPHREY. I would hope that there would be considerable commendation of those who have really pioneered in this area.

Miss BUTLER. I think you will find our women have, in communities where they have expressed their appreciation.

Senator HUMPHREY. Also, I would note that for years we had what we would call a voluntary poultry inspection program which was engaged in by the poultry producers, with the cooperation of State and Federal Government but with no compulsion. As you know, last year the Congress passed a compulsory poultry inspection act because the number of groups that were doing it voluntarily were limited and they obviously went into additional expense because they had a finer product due to their poultry inspection, and it seemed to be unfair competition in a sense. At the same time the voluntary system did not protect the public interest or public health.

I was one of the authors of the Poultry Inspection Act, and believe me, I took as much interest in that one as I have on this one, although I thought the world fell on me. But we got it passed and it is on the books, and it is operating.

Miss BUTLER. I would like to say to you, Mr. Chairman, that the General Federation, in their national convention last year, was openly supporting you in your efforts, your committee's efforts and those of the Senators and Representatives who were interested in that bill. We believe that you certainly have presented a program that all women that are interested in food as well as the humane efforts will support.

Senator HUMPHREY. Thank you very, very much. [Applause.]

It is now 1 o'clock. We will recess and we will open the hearing this afternoon, if agreeable, with Mrs. Christine Stevens.

(At 1 p. m. the committee was recessed, to reconvene this afternoon.)

AFTERNOON SESSION

Senator HUMPHREY. The committee will be in order.

Mrs. Stevens has kindly consented to yield her place on the agenda to Mr. Kearney. I understand Mr. Kearney has to leave rather quickly.

Mr. Kearney, why don't you just proceed with your statement as you would like.

May I again say to our witnesses that anytime you want to place your statement in the record and briefly summarize it, it will accommodate those who are with you, because we have to run through this whole list today, and we are going to have about a dozen rollealls. I will be running in and out of here like a ferret, and that will complicate matters.

Proceed.

STATEMENT OF PAUL W. KEARNEY, BROOKLYN, N. Y.

Mr. KEARNEY. My name is Paul W. Kearney, of Brooklyn, N. Y. I am a free-lance contributor to such magazines as the Saturday Evening Post, Reader's Digest, Popular Science, Better Homes and Gardens, and others. As such I have personally investigated the revolting conditions prevailing in representative slaughterhouses of all the leading packers. I have also seen the efficiency, the benefits and the profits which are the result of humane methods adopted voluntarily by such concerns as Hormel, Oscar Mayer, and Hygrade.

This is the third year that I have come to Washington, at my own expense, to support this civilized effort to temper the degrading brutality in the slaughter of our food animals. And while we have

hemmed and hawed and stalled under the suave duress of the orgaized packers, the benighted Fiji Islanders have enacted a stiffer humane slaughter law than the one you are considering. Perhaps they have been denied the wisdom of Secretary Benson and his tribal brother, Mr. Aled P. Davies, of the American Meat Institute.

Frankly, I was discouraged to find that this third trip would be necessary, for this costs time and money. Yet I became a little ashamed of that feeling when I ran across a letter from a lady in Cleveland Heights, Ohio, who also heartily favors this legislation.

Mrs. Cora K. Reed is her name. And the simple, but shocking, statement she makes is something for you to ponder over and over as you listen to the smooth but meaningless assurances you will hear reiterated by the American Meat Institute's spokesmen in the sessions to follow:

When I was in my teens—
writes Mrs. Reed—

a humane (slaughter) law was tried to be passed. I am now past 75 years, so you can imagine I'm a bit discouraged.

Conservatively, this means that the packers and the Department of Agriculture have been studying this legislation for close to 60 years. Is it any wonder that they have reached this stage of acute mental constipation which now afflicts them?

Do you feel, gentlemen, that it takes six decades to distinguish between black and white—between barbarity and decency—even between operating profit and loss? For, make no mistake, humane slaughter is far more profitable and efficient than the archaic methods that have prevailed since before the American Revolution. Anyone who doubts it need only consult the balance sheets of the Hormel Co. which, for years, has had the highest profit ratio in the entire packing industry.

Now I don't say that this enviable achievement is due solely to humane slaughter: I simply say that Hormel adopted humane slaughter because they have the wit to recognize an efficient operation when they see one.

In the trade press they have repeatedly stated that these humane methods have doubled their output with half the manpower. You just can't bury this under doubletalk—and certainly it has convinced Oscar Mayer and Hygrade that it would be profitable to follow suit. That it hasn't convinced the other—who profess to lose money on every pound of meat sold—is no surprise to anybody who has ever looked at their operations with an eye to industrial efficiency and workmen's safety. The neatest diagnosis of the whole situation was the succinct comment of *Forbes Business Weekly* 2 years ago, January 1, 1956, in its annual business review:

The once powerful packers * * * are suffering from the ravages of old age and hardening of the corporate arteries.

This is no sentimental slush from an old lady past 75. Neither are the editorial opinions which have swept this country from coast to coast in support of this legislation. I have here extracts from 90 editorials in influential newspapers which unanimously urge passage of this bill—but unless you insist, I shall read only 3.

One significant one is from that important cattle country, Tex., which is not noted for sentimentalism. The *Texarkana Gazette*, April 11, 1957, says:

We cannot continue to pose as a civilized people if we continue to condone some of the inhumane methods used in slaughtering defenseless animals.

Granted, the *Gazette* is not exactly the *New York Times*. Yet only 2 weeks ago the *New York Times* said—April 12, 1958:

The House bill is now awaiting action in the Senate Committee on Agriculture, of which Mr. Ellender of Louisiana is chairman. Alternative measures to provide for additional study of the situation are merely devices for delay and are entirely unsatisfactory. The humane slaughter legislation ought to be reported and passed as is.

Identical sentiments have been expressed by such important newspapers as the *Milwaukee Journal*, June 20, 1957; the *Washington Post and Times Herald*, March 19, 1958; the *San Francisco Examiner*, February 8, 1958; the *Boston Herald*, February 7, 1958; the *Hartford Courant*, February 3, 1958; the *Christian Science Monitor*, March 22, 1957, whose editorial was widely reprinted; the *Cincinnati Post*, July 11, 1957; the *Pittsburg Post-Gazette*, February 6, 1958; the *New York Daily News*, April 1, 1957; the *Miami Herald*, July 9, 1957; the *Louisville Courier Journal*, February 18, 1958; the *Mobile Register*, February 8, 1958; and dozens of others.

These are not zealous old ladies, either: they are men who can read a balance sheet just as well as they read public opinion. And the consensus of their thinking on humane slaughter is tersely summed up by the observation of the *St. Louis Post-Dispatch*, April 8, 1957: "Who could oppose it?"

Mr. Chairman and members of the committee, I'll leave that one for you to answer.

Senator HUMPHREY. Mr. Kearney, I want to thank you very much for a very concise, direct, and persuasive statement.

Mr. KEARNEY. Thank you, sir.

Senator HUMPHREY. I would like very much to have the assistance of someone amongst the witnesses who are here who has these many editorials at their fingertips so that we might have them for display in the testimony. I know that many of our colleagues are aware of the fact that there is editorial support for the bill, but the scope of that editorial support I don't believe has been really made manifest.

Mr. KEARNEY. These are extracts.

Senator HUMPHREY. May I have these?

Mr. KEARNEY. Certainly.

Senator HUMPHREY. That is very kind of you. I will see that they are made part of the Congressional Record as well as a part of the hearing record.

(The articles referred to are as follows:)

A SAMPLING OF RECENT EDITORIALS AND ARTICLES IN FAVOR OF HUMANE SLAUGHTER LEGISLATION

The *Milwaukee (Wis.) Journal*, June 20, 1957: "The calves are whisked on to a shackling wheel and hung up, as many as 20 at a time. When the kill crew is small, calves hang by the rear foot for a couple of minutes while the rack is loaded. Then they are stuck. Some were still bawling 6 minutes after the first rush of blood, it was noted."

The Washington (D. C.) Post and Times Herald, June 28, 1957 (editorial): "Is there any sense to this practice which inflicts wanton cruelty on animals while subjecting men to work which is degrading as well as dangerous? Rendering the animals unconscious before slaughtering them would obviate this barbarity. This is all that the Poage bill would require. It would introduce civilization into our packinghouses."

The San Francisco (Calif.) Examiner, April 20, 1957 (editorial): "Bills to bring this about are again pending in Congress with the support of the humane society and General Federation of Women's Clubs, among others. We would like to renew our support * * * Brutality always brutalizes him who employs it."

The Boston (Mass.) Herald, January 24, 1957 (editorial): "If Congress passes humane slaughter legislation at this session, much will have been accomplished to curb misery. And, perhaps, much for the human spirit as well. The toleration of the poleax is an evidence of a deeper social ill than mere inefficiency." (Reprinted in the Fort Wayne (Ind.) News Sentinel, June 29).

The North Virginia Sun, August 6, 1957 (editorial): "For a nation with pride in its humanity, we should be ashamed of our record in this legislative area."

St. Louis (Mo.) Post-Dispatch, April 8, 1957 (editorial): "Who could oppose it?"

Salt Lake City (Utah) Deseret News, February 20, 1957 (editorial): "If by law cruelty to a few animals is prohibited in the case of bull and cockfighting, how much more important it is to prohibit cruelty to the 119 million animals that are shipped to market annually to supply the Nation's tables with its 21 billion pounds of meat a year."

Mobile (Ala.) Register, May 10, 1957 (editorial): "By dragging their feet in the face of rising public demand for the use of more humane methods in slaughtering meat animals, packinghouses invite the very Federal regulation they oppose."

Washington Merry-Go-Round, Drew Pearson column, March 24, 1957: "Note Senators Bennett and Watkins of Utah may propose that Congress authorize 'study' of the problem. This is the time-honored way to block a proposal that can't be fought on its merits."

Hartford (Conn.) Courant, March 21, 1957 (editorial): "Humane slaughtering legislation has long been needed in this country, and Congress this year should stand fast against inertia and stubbornness."

Texarkana (Tex.) Gazette, April 11, 1957 (editorial): "We cannot continue to pose as civilized people if we continue to condone some of the inhumane methods that are used in slaughtering defenseless animals."

Labor's Daily, February 23, 1957: "* * * one of America's most amazing grass-roots lobbies rolls into operation again. Unlike most pressure groups, this one is not well organized. Its members belong to both parties and probably to half a dozen splinter parties as well. They range from rich old New England dowagers to Chicago packing plant workers. They are in every State of the Union and in the Territories. They cross every racial and religious line * * *. Who are they? Animal lovers."

The Christian Science Monitor, March 22, 1957 (editorial): "Most countries in Europe and many elsewhere have adopted laws requiring instruments that render animals insensible before killing." (Reprinted in Columbus (Ga.) Ledger-Inquirer, Sheffield (Ala.) Tri-Cities Daily, Florence (Ala.) Times, State College Centre Times (Pa.), Rome (N. Y.) Sentinel, Charleston (S. C.) News and Courier.)

Cincinnati (Ohio) Post, July 11, 1957 (editorial): "We fail to see how anybody can have a quarrel with the bill requiring humane methods of slaughter for meat processors who sell to the Federal Government."

The Ann Arbor (Mich.) News and others, August 2, 1957, (WNS) by Ann Cottrell Free: "I have received more letters on this one subject than even on the budget," one Congressman revealed.

The Nashville Tennessean, June 26, 1957 (editorial): "There is no longer any sensible argument for these cruel and barbarous methods."

The Louisville (Ky.) Times, June 24, 1957, by Tom Wallace: "There are packers who are unconcerned, or little concerned, or too little concerned about suffering that is inflicted upon animals avoidably. They should be required to abate that suffering, which their religion forbids if they are Americans and practice or profess one of the religions known in this country."

The Miami (Fla.) News, May 2, 1957 (editorial): "Just why the meat industry should oppose this reform is hard to understand. The ammunition used in the stunners costs 2 to 4 cents an animal; carbon dioxide gas around 1 cent." (Reprinted in Springfield (Ohio) News.)

The Pittsburgh (Pa.) Post-Gazette, June 17, 1957 (editorial): "Senator Neuberger summed the issue up well when, in support of pending legislation, he declared that 'cruelty is an evil that should be eradicated from our society, not merely for the sake of the animals but for our own good.'"

The New York World-Telegram and Sun, July 15, 1957: "Congress is moving steadily toward adopting measures responsive to demands that the Federal Government compel better treatment for animal life."

My Day, Eleanor Roosevelt column, March 25, 1957: "Other countries have established humane slaughter laws. Such a law requires changes in equipment and in methods of slaughtering making them economically sound as well as humane."

The Daily Sentinel (Colo.) March, 1957 (editorial): "If legislation that has been presented to this Congress is passed—and prospects are good for it—all slaughtering of food animals by commercial firms will be done by more humane methods."

San Angelo (Tex.) Standard, May 3, 1957 (editorial): "If it happened to a dog, almost any witness would call the police. But the process is fully as terrifying and painful to a hog as it would be to a dog."

Henry (Ill.) News Republican, May 1, 1957 (editorial): "Many years ago, say 20, we went on a tour of Chicago stockyards. It was an experience which made vegetarians of us for 2 or 3 years."

Salisbury (N. C.) Post, May 12, 1957 (editorial): " * * * bloody and brutal practices of slaughter archaically followed in most packinghouses."

Waukegan (Ill.) News-Sun, July 15, 1957 (editorial): "American slaughterhouses often cause needless pain and fright, jerking animals up by a hind leg, cutting their throats, and letting them bleed to death."

Camden (N. J.) Courier-Post, July 18, 1957 (editorial): "Humanitarians are united behind this legislation."

Lake Worth (Fla.) Herald, July 11, 1957 (editorial): "It therefore seems that such a bill should be overwhelmingly adopted when it comes up for a vote for it has the endorsement of all people interested in a better, more humane, more considerate world."

Saginaw (Mich.) News, July 9, 1957 (editorial): "When a man or a nation acts in a needlessly brutal way toward any form of life, a twofold offense is committed. Man's God-given stewardship over the lower forms of life is dishonored and he himself is debased."

Erie (Pa.) Times, July 8, 1957 (editorial): "We feel confident that Congress will respond to the demand for the legislation and pass the bill."

Knoxville (Tenn.) News Sentinel, May 24, 1957 (editorial): "Man's inhumanity to man is repugnant. His inhumanity to the animals whose flesh sustains him is hardly less so. Mandatory humane slaughter legislation now pending before both Houses of Congress should be passed."

Columbus (Ohio) Citizen, May 22, 1957: "The prevalent practice of shackling the hind leg of a pig and yanking it aloft—conscious and squealing—to have its throat cut, may be outlawed."

The Hoosier Day, Frank A. White column, May 14, 1957: "Our slaughtering methods have been so revolting that at long last there is a well-defined public movement in the United States of America to stop the barbaric methods used." (In The Rushville Republican, Sherryville News, Rushville Telegram, Elwood Call-Leader, Connersville News-Examiner.)

Stamford (Conn.) Advocate, May 2, 1957 (editorial): "What is needed now is a humane slaughter bill by the National Government which would make it mandatory for all livestock and poultry to be rendered insensible."

Brooklyn (N. Y.) Advertiser Digest, Brooklyn Record and Advertiser, and others, April 18, 1957, Lou Terras column: "The Honorable William A. Dawson has said 'That the animals collective screams of pain are heard only by the few does not lessen the general guilt once we have been made aware of the practice.'"

Asbury Park (N. J.) Evening Press, April 13, 1957 (editorial): "The meat packers should be ashamed of themselves that it should be necessary to pass legislation to force them to behave like human beings."

Gastonia (N. C.) Gazette, April 16, 1957 (editorial) "Cruelty and Americanism are incompatible."

New York Daily News, April 1, 1957 (editorial) "Up to now, meat lobbyists have succeeded in postponing effective humane slaughter legislation on the plea that the subject needs further study."

Vernal (Utah) Express, April 11, 1957, "There has been sufficient study in the matter to know exactly what needs to be done. The time is ripe now to do something."

Miami (Fla.) Herald, July 9, 1957 (editorial) "The meat industry has given a lot of lip service but little action to humane slaughter. Since it evidently won't be put into effect voluntarily, a law seems in order. Americans don't want their food animals to suffer needlessly."

The Bethlehem (Pa.) Globe-Times, July 27, 1957 (editorial) "This bill deserves our support if we want to make amends."

The Youngstown (Ohio) Vindicator, July 5, 1957 (editorial) "This operation is not only extremely painful for the hog, it also provides considerable danger to the worker. The hogs generally thrash around. Their hoofs are sharp. Workers are often gouged.' Such evidence should be enough to convince Congress, and all Americans, of the need of a law to compel packers to abandon their barbaric, dangerous methods."

Orangeburg (S. C.) Times Democrat, July 3, 1957 (editorial) "In the name of divine justice, these animals should be given a humane death."

Bergen (N. J.) Evening Record, March 9, 1957 (editorial) "There is no shadow of reason for deferring compulsory legislation."

NORTH AMERICAN NEWSPAPER ALLIANCE

By Ann Cottrell Free

WASHINGTON, April 28.—New forces, the Pentagon and the Methodist Church, are lining up on opposite sides of the humane slaughter bill that come before the Senate Agriculture Committee this week.

The Methodist Church's General Board of Social and Economic Relations has just called for enactment "at once" of legislation to correct "unthinkable brutality" of current methods of commercial livestock slaughter. It favors the House-approved bill and its Senate version sponsored by Senators Hubert Humphrey (Democrat, Minnesota), William A. Purtell (Republican, Connecticut), and Richard Neuberger (Democrat, Oregon).

But the Department of Defense is opposed. It shares the same view as the American Meat Institute and the Department of Agriculture, which is essentially: Some day, but not now.

The bill would require the Government to buy meat only from packers slaughtering all of their livestock by any of several humane methods.

Secretary of the Army Wilber M. Brucker, whose Department purchases the foodstuffs for all the armed services, gave the Pentagon's stand in a letter to Chairman Allen J. Ellender (Democrat, Louisiana) of the Senate committee.

Mr. Brucker claims that installation of humane methods "would restrict competition, cause increased prices and could result in supply failure." His primary concern is for small packers. But how small is "small" he does not say.

To qualify for Government contracts, however, a packer must be large enough to do out-of-State business as well as local. Otherwise his meat could not be federally inspected. And, if they are to sell to Uncle Sam, their meat must bear the Federal inspection purple stamp.

Of the Nation's several thousand abattoirs, only 514 may sell meat to the Government. Because only 514 are federally inspected. In many cases, 30 to 40 of these slaughterhouses are owned by a single company. Some of these abattoirs are solely for beef, fewer for hogs and lambs.

Brucker claimed also that the larger packers might be willing to forgo their Government business rather than go to the expense of installing humane slaughter methods.

Key cost item in the minds of the objectors is the equipment for anesthetizing hogs. It is a carbon dioxide tunnel device with a price range from \$3,500 to \$25,000, depending on whether the American or the Danish manufactured product is used. Cost of installation is extra. It is, of course, a capital investment subject to depreciation tax credits. It is used by the Hormel, Kingan and Oscar Mayer companies. And they report that savings from bruised, thus condemned, meat (from struggling hogs) is offsetting costs of installation. Moreover, humane-slaughter packers are picking up new customers, as many letters to the Humane Society of the United States attest. For example, a Pittsburgh

housewife wrote: "I keep a list of packers using humane slaughter methods in my handbag."

Other methods for immobilizing hogs (making them insensible before slaughter) are used by packers in Britain, the Netherlands, Switzerland, all of the Scandinavian countries and the Fiji Islands. They include shooting with a special concussion instrument or electric shock.

The Methodist board commended the companies using humane methods. Since humane slaughter legislation was first introduced in 1955, more than a dozen companies have started using a special stunning weapon for cattle instead of the traditional poleaxe.

Under Secretary of Agriculture True D. Morse restated that Department's position in a prehearing letter to Senator Ellender. Morse questions whether some of the slaughtering methods are effective and humane. Yet, shortly before the humane slaughter campaign got underway (or early in 1955) the Department had so little doubt about the question as to print an instruction pamphlet entitled: "Carbon Dioxide Immobilization of Turkeys Before Slaughter."

The stand of the Department of Health, Education, and Welfare—which purchases meat for Public Health hospitals—is not yet known. While a unified position for departments concerned with proposed legislation is the general rule, HEW Secretary Marion Folsom has been known to depart from administration policy.

Senator HUMPHREY. The next witness is Mrs. Christine Stevens, president of the Animal Welfare Institute.

Mrs. Stevens, your patience will be rewarded. We have to vote. You can prepare yourself to give us even better testimony than you had planned on at the beginning.

(A brief recess was taken.)

Senator HUMPHREY. After many starts and stops, Mrs. Stevens, I think we will be able to go on now with the testimony. We will let you proceed according to your own desire.

Go right ahead.

STATEMENT OF MRS. CHRISTINE STEVENS, PRESIDENT, ANIMAL WELFARE INSTITUTE, NEW YORK, N. Y.

Mrs. STEVENS. Thank you. My name is Christine Stevens, and I am testifying in behalf of the Animal Welfare Institute of which I am president.

The question before this distinguished committee is a moral one. There are economic factors involved, but they generally cancel one another out by a savings here and a cost there. There are a number of fully tested, practical humane slaughter methods in everyday use, so the question of studying these methods is largely academic. Thus the question resolves itself into a choice which is unusually simple: Shall the animals which provide us with food be killed painlessly and without foreknowledge of death or shall they continue to be killed in the manner illustrated in these photographs?

I have a number of photographs which I would be glad to leave here on the committee table.

Senator HUMPHREY. Could we keep them as an exhibit for the committee?

Mrs. STEVENS. You surely can.

Senator HUMPHREY. We will see that they are safely returned to you. I think, at the time we mark this bill up, as we call it, in executive session, some of these exhibits ought to be available, because at that time every Senator will be here.

Mrs. STEVENS. Fine. As you will note, the usual method used in large slaughterhouses for killing a lamb, a sheep, a calf, or a pig is to

seize the creature by a hind leg, put a heavy chain over a small hind foot, and send the animal swinging upside down into the air and over a great wheel, where the shackles sometimes are tangled, tearing the foot off, or where the animal may struggle so violently as to break its own leg or pelvis. When it reaches the sticker, he tries to thrust his knife into the right spot to start a strong flow of blood, but many times he bumbles and, even when done as intended, the animal simply is pushed along the line to bleed to death.

Calves may be observed to be bawling as much as 6 minutes after their throats were stuck. Pigs sometimes go into the great tank of boiling water alive and fully conscious and try, screaming, to swim out. Recently, a Government inspector in 1 plant gave it as his opinion that in that plant about 1 in 20 hogs is still conscious when dropped into the scalding vat. As for the big steers, it has long been the usual practice to try to knock them down before shackling and bleeding them. This is not because packers are tenderhearted toward steers and hardhearted toward the more appealing lambs and calves. Rather, it is because steers and bulls are powerful and fierce fighters, and when they break loose in a slaughterhouse, as happens from time to time, a lot of people are likely to get hurt. The usual method is to hammer the heads of the steers and bulls until they go down. This may take anything from 1 to 13 blows. If they start to get up again, the knocker hammers away some more. When I observed this process, 50 percent of the animals required more than 1 blow.

Recently, under the threat of compulsory legislation, the four major opponents of the legislation, Swift, Armour, Cudahy, and Wilson, have all bought humane stunners, the fully tested brands of which successfully stun animals at one shot. However, not all of these companies bother to see that all of their plants actually use the humane stunners, nor do they all bother to supply enough ammunition so that the knockers can stun all the animals with them. One thing which these companies have achieved is considerable publicity ascribing great humanness to them for purchasing mechanical stunners.

Senator HUMPHREY. Mrs. Stevens, has this been since our last hearings?

Mrs. STEVENS. Yes; it has.

Senator HUMPHREY. At the time that we were trying to cajole and persuade some voluntary action?

Mrs. STEVENS. Yes. Some voluntary action has followed, not so much from cajolement and persuasion as from the fact that legislation is imminent.

Senator HUMPHREY. It would be good to get a report from these companies, would it not, as to the number of plants in which they have placed this new mechanical equipment?

Mrs. STEVENS. They have placed it in all of their plants where they kill cattle.

Senator HUMPHREY. They have?

Mrs. STEVENS. Yes.

Senator HUMPHREY. We will ask for a very complete report on it.

Mrs. STEVENS. We would like to have legal assurance that they are as humane as they say they are to cattle, and that they become equally humane to lambs, calves, sheep, and pigs, because they have made no improvement for those animals.

The citizens of Holland, England, Scotland, Northern Ireland, Switzerland, Sweden, Denmark, Finland, Norway, New Zealand, and even the Fiji Islands all have that assurance, because they have compulsory humane-slaughter laws. Those of Canada confidently expect to have it before the end of the year. Why must American citizens continue to be forced by the antediluvian stubbornness of four big companies to tolerate this unnecessary cruelty?

This is not the first round in this slaughterhouse battle between the forces of cruelty and those of decency. Once in every generation, it seems, the packers have to defend what they evidently consider their absolute right to torture animals on their premises. The last time was 1929, when they won by promising faithfully to install humane methods of their own volition. This false promise gave them a breathing space of 26 long years, during the course of which not 1 of the 4 biggest companies made 1 single humane improvement in their slaughtering methods.

(That was when you first introduced your bill, Senator Humphrey.)

During that time, the American Meat Institute, which represents all the biggest and some of the smaller packers, was establishing for itself an entrenched lobby in Washington. Its head today is a figure well known in Congress and, indeed, by most of those who read the newspapers. His close connection with Secretary Benson helps to explain the Secretary's adamant opposition to every effective humane-slaughter bill which has been introduced—some 10 or more in the past 3 years.

Senator SYMINGTON. May I ask a question there?

Senator HUMPHREY. Go right ahead.

Senator SYMINGTON. You stated Mr. Benson refuses to consider more humane-slaughter methods. What reason does he give for this position?

Mrs. STEVENS. He says that he doesn't know anything about slaughtering methods, and he also contends that no one does. I don't know whether he knows, but many people do know.

Senator SYMINGTON. But this is his Department. There is no other agency or department except the Department of Agriculture to deal with this problem. Is that right?

Mrs. STEVENS. I don't know where else to go than the Department of Agriculture.

Senator SYMINGTON. You have been interested in this for some time, haven't you?

Mrs. STEVENS. Yes.

Senator SYMINGTON. If there was a place, you would probably know?

Mrs. STEVENS. I believe I would.

Senator SYMINGTON. Your testimony is that he just doesn't express any interest in it?

Mrs. STEVENS. That is correct.

Senator SYMINGTON. Thank you, Mr. Chairman.

Senator HUMPHREY. And this is despite the fact that, some 2 years ago, we were assured here by the Department and the companies that considerable efforts would be made in terms of research on humane slaughtering methods and the application of that research into the company plants: isn't that correct? Isn't that the body of the testimony that we had?

Mrs. STEVENS. Yes.

Senator HUMPHREY. I think the record ought to so reveal, Senator Symington.

Senator SYMINGTON. I do, too.

Senator HUMPHREY. Representatives of the Department gave the assurance to the groups that were here, regardless of the different points of view that were expressed, that the Department would proceed under the authority which it had even without any new legislation to perfect and do research work in the field of improved methods of slaughtering.

And the companies said that they, too, would engage in this same research and application. As I said, there has been some effort on the companies' part. But I must say that the Department has been very remiss in any responsibility that they were supposed to have accepted.

Go ahead, Mrs. Stevens.

Mrs. STEVENS. On February 23, William McGaffin of the Chicago Daily News Service threw a bright light on the situation when he wrote:

A registered lobbyist for the American Meat Institute is an adviser to the United States Secretary of Agriculture. This fact was learned as Secretary Ezra Taft Benson fended off a block of Farm Belt Republican Congressmen bent on forcing his resignation. The lobbyist's name is Aled P. Davies. He himself said Benson telephoned him Thursday night for advice after learning what was afoot.

Davies also displayed a statement he wrote that bore striking similarity to the statement Benson issued Friday after conferring with two leaders of the irate Congressmen. A check with Davies' office disclosed that he is a registered lobbyist for the institute.

And a check with Robert MacMillan, an assistant to Benson confirmed the fact that Benson telephoned Davies for advice Thursday night and that Davies helped the Secretary draft the statement he issued to the press Friday. Davis helped the Secretary on a good deal of wording in the statement, said MacMillan. Benson's aid said Davies is one of the several advisers the Secretary calls on from time to time. "Don't you think the advice of a lobbyist might be prejudiced?" MacMillan was asked. "Maybe it could be," he replied. Then MacMillan said Benson called upon Davies in his capacity as a specialist. He said Benson and Davies had been friends for years, that Davies went to England on a mission for the Agriculture Department at one time, and at another time worked for the Department as a consultant. In reply to a question, MacMillan said the lobbyist still retained his job with the American Meat Institute while he was working for the Agriculture Department.

Senator HUMPHREY. Is it to be understood that Mr. Davies retained the job as a lobbyist during the period of time that he was a consultant for the Department of Agriculture, or was on the overseas assignment?

Mrs. STEVENS. That is my understanding.

Senator SYMINGTON. I want to be sure I understand your testimony. You are saying that the Department of Agriculture is guided by the lobbyist for the meatpacking industry who, in effect, is writing at least part of Mr. Benson's speeches. To the best of your knowledge, is that correct?

Mrs. STEVENS. Yes, that is correct.

Senator SYMINGTON. And if that is true, the lobbyist is opposed to the legislation because he works for the meatpackers but at the same time he is also advising the Secretary of Agriculture; is that correct?

Mrs. STEVENS. It is an ambiguous situation. That is correct.

Senator SYMINGTON. The net result is that the Department of Agriculture and all those opposed to the bill may be involved in a holy or unholy alliance; is that the way you look at it?

Mrs. STEVENS. Yes.

Senator SYMINGTON. Thank you.

Mrs. STEVENS. If Mr. Davies even writes political statements for the Secretary and represents the Department abroad, it is clear that where the slaughter of animals is concerned he can dictate United States policy with little likelihood of contradiction.

The national policy which Mr. Davies and Secretary Benson have selected to follow, and which they will continue unless Congress calls a halt to it, is to perpetuate cruel slaughtering methods while stating that they favor humane ones.

In the testimony which you will hear in the coming days many voices will be raised against legislation requiring the use of humane methods, but none will have the courage to come right out and say they don't care how animals are killed. Instead they will argue that it is too difficult and expensive to be kind right now but that if they could study the matter some more they could probably figure out a way to be so. Some will present evidence to show that they have had lots of trouble trying to use certain new methods. And those packers who are using humane methods successfully every day of the week won't come forward to say so for fear of offending their colleagues and the powerful packers' lobbying associations which keep their members strictly in line.

Please remember when you hear the inevitable aspersions cast on carbon dioxide anesthetization that 14½ million pigs have been put to sleep by Hormel's alone, not one has ever awakened prematurely, not one has ever been missed. Hogs are being humanely killed every day at rates up to 1,200 per hour with this system. The Department of Agriculture has approved the method. Those who use it have realized important savings in operation and bruise prevention, and a general estimate indicates that in an average of 5 or 6 years the savings pay back the cost of the equipment. Human beings have tested carbon dioxide anesthetization on themselves to ascertain its humaneness and have lost consciousness painlessly. Anesthetizing equipment is available in 4 different sizes at prices beginning as low as \$3,500 per unit.

When you hear that some plants are so small they cannot afford this much, please remember that the only packers in this country today who are being humane to all the animals they slaughter are the small, rural packers who routinely shoot with ordinary firearms all the animals they slaughter. There is no such thing as a packer who is too small to be humane. The great problem is with the packers who are so big and powerful that they refuse to be humane.

Where there are many workers it is much safer to use one of the mechanical stunners in preference to ordinary firearms with free bullets.

I have here two stunners that are manufactured by the Schermer Co. This is the cattle stunner and this the hog stunner. They are very simple to operate. They come apart, you put in the ammunition—

Senator HUMPHREY. This is not the pneumatic?

Mrs. STEVENS. No. This is all there is to it. With these 2, both of which cost \$150, you can stun any kind of animal humanely. This is the answer to everything if you are a small packer or indeed a large packer, if you happen to prefer to use stunners in preference to the carbon dioxide.

Senator SYMINGTON. I would like to ask a question there from the standpoint of future witnesses. Which do you think is better—the stunner or carbon dioxide?

Mrs. STEVENS. I personally think carbon dioxide is better for pigs, especially for large packers because it is really made for mass production. But the question has often been raised that the small packer doesn't want to put in a carbon dioxide anesthetizing machine. For small packers the stunning instrument is good because they are not so rushed as to time.

Senator SYMINGTON. Why couldn't you use carbon dioxide on cattle?

Mrs. STEVENS. It hasn't been worked out for cattle. It can be used on sheep.

Senator SYMINGTON. Why hasn't it been worked out for cattle?

Mrs. STEVENS. It is an engineering problem. It is just that they are so big. The sheep and pigs can ride through the tunnel and just fall over and are sound asleep when they come out. Maybe it could be worked out for cattle, but there is no need to. The stunners work fine. And when I say carbon dioxide is better for pigs I don't consider it better for cattle. Stunners are excellent.

Senator HUMPHREY. The point that you are making is that much of the argument that has been placed before this committee on other occasions was to the effect that while humane slaughtering methods might be desirable, that it would be such an economic burden upon the industry, particularly the smaller packers, that they couldn't do it. And the evidence is that the smaller packers are the ones who have pioneered in the field of the use of improved slaughtering methods. I couldn't help but think, when you spoke of Denmark, that Denmark exports some of the finest meat products in the world. One of the main Danish export items for their dollar balances and other currencies is in pork products, and they use humane slaughtering methods, is that not correct?

Mrs. STEVENS. They do.

Senator HUMPHREY. So we see the countries which are not food deficit countries but food exporting countries have been using humane methods. Also, the Scandinavian countries which are known for their advanced social legislation have compulsory humane slaughtering methods, is that correct?

Mrs. STEVENS. Yes; all the Scandinavian countries do. This is a leaflet which shows three types of carbon dioxide machines manufactured in Denmark and available in this country from Allbright-Nell Co. in different sizes.

Senator SYMINGTON. As to the picture we talked about this morning, why wouldn't it be better to have a picture from a company that was federally inspected?

Mrs. STEVENS. It would be fine except I don't know if one exists. As you may have gathered from the questions, people are quite surprised that Mr. Arthur Redman was allowed to take a picture of nor-

mal operations. He took the picture sometime ago, at a time when legislation was not pending. At this time it might be extremely difficult to obtain permission.

Senator SYMINGTON. And he did testify that the pictures were comparable to the way it was done in plants that are Federally inspected, is that right?

Mrs. STEVENS. Yes; and I can say the same.

Senator SYMINGTON. I was going to ask you. Have you seen the picture?

Mrs. STEVENS. I have seen the picture.

Senator SYMINGTON. Have you seen large plants that are federally inspected?

Mrs. STEVENS. Yes, although I have not seen hogs slaughtered in a large federally inspected plant. But I have seen other photographs of hog slaughtering in federally inspected plants.

Senator SYMINGTON. Have you seen anything in federally inspected plants which you would say is applicable to that presented by this film?

Mrs. STEVENS. Certainly, because I have seen other animals slaughtered there.

Senator SYMINGTON. So you would say this film, except for hogs, to your own visual knowledge, is correct in showing what goes on in these other plants?

Mrs. STEVENS. Absolutely, certainly so. The principle is the same.

Senator SYMINGTON. I only brought that out, Mr. Chairman, because one of the Senators mentioned that he wished that the picture had been in a federally inspected plant.

Senator HUMPHREY. Yes. I wonder, is there a film of the slaughtering operation in a foreign plant, where they use the carbon dioxide treatment, for example? It would be interesting to relate the differences between what we call a normal slaughtering practice in a contemporary American slaughteringhouse as compared to slaughtering practices say in Denmark or the Scandinavian countries or Great Britain.

Do you have such a film?

Mrs. STEVENS. I don't. There may be one available. I don't know.

Senator HUMPHREY. A gentleman in the back of the room is nodding.

What is your name?

Mr. MACFARLANE. John Macfarlane.

Senator HUMPHREY. Do you know of such film?

Mr. MACFARLANE. The only film that is in existence, Mr. Chairman, is one that I had taken professionally in Denmark and in Holland, Sweden, and England.

Senator HUMPHREY. Do you have it?

Mr. MACFARLANE. I do not have it with me.

Senator HUMPHREY. When can you get it?

Mr. MACFARLANE. It is not in sound.

Senator HUMPHREY. That wouldn't make any difference. You have a film strip though that could be played? Or could be shown?

Mr. MACFARLANE. No. I would have to narrate over it. I brought the film back only because I needed it for technical advice when working with Remington and some of these other people in the development of new techniques.

Senator HUMPHREY. Let me consult a moment with Senator Symington.

What I am thinking of, Senator Symington, is if we had the film of the Federal Meat Co., Mr. Redman's production, and then the film Mr. Macfarlane has, while one may be with sound and one may not be, that is not really very material. It is the visual object we are interested in, to see what goes on in these two different kinds of plants. I think this within itself would be very educational.

Senator SYMINGTON. I do, too, Mr. Chairman.

Mr. Redman and Mrs. Stevens feel that this picture represents the way that it is handled in other plants. The committee doesn't have to be influenced by any witness or any pictures. It can listen to all the testimony. If any of the packers or anyone else wants to bring in some pictures or film and show that they are handling it in a different way, I imagine the committee would welcome that.

Senator HUMPHREY. I want you to know that I am for showing the picture. What I am trying to find out is what happens. I have never seen an operation to any degree except in the Hormel plant.

Senator SYMINGTON. You mean you would like to see a picture showing the humane operation?

Senator HUMPHREY. I would like to see what happens in one of the plants with humane slaughtering practices.

Senator SYMINGTON. That is a very fine idea.

Senator HUMPHREY. I have seen the Hormel operation at Austin, Minn. I know what they do there in their hog operation. There is a big difference between what takes place in that operation and others, and I won't mention any company names. We will go into it later. We want to show the picture when there are people here besides those who have demonstrated interest in this legislation. It seems to me sometimes we talk to each other about it. I would like to have some of this evidence available to others who may want to view it from a more critical point of view.

Mrs. STEVENS. I hope all the members of the committee see it.

I have a booklet which shows how to use all these different stunners for each species. The cost of these stunners is in the \$100 to \$150 range. Any packer who aspires to make a contract with the Federal Government can surely afford such a sum and the 2 to 3 cents per animal for ammunition. Two types of stunner manufactured by the Remington Co. are also available at a cost of \$240.

As to speed of operation, it is obvious that no one can kill hogs faster than 1,200 per hour—the rate at which a double line of the large carbon dioxide tunnels as illustrated in this folder send anesthetized hogs to the stickers. The use of a mechanical stunner speeds up the killing of cattle because it stuns instantaneously and does not require the series of blows which the hammer method often does. It does not tire and strain the knocker as the hammer does. Tests on sending sheep through carbon dioxide show that a rate of 550 per hour can be maintained and that it is an effective anesthetic for these animals. It is possible that the stunning of small calves, instead of jerking them aloft and cutting their throats while fully conscious, might possibly add a few seconds to the killing operation, but no more.

It is probably true to say that electric stunning can be humane and can be practical, but there is no need to use this method because me-

chanical stunning and anesthetization answer fully all the needs of packers large and small for the humane slaughter of all species of animals. For this reason, a lengthy debate on the pros and cons of electrical stunning has no real bearing on the case for humane slaughter. That case is established on the basis of the methods now being used daily in the United States in plants under Federal meat inspection and which merely need to be extended to more plants and more animals.

The supporters of humane slaughter are not asking the distinguished members of this committee to urge any new and radical departure in the meatpacking industry, but simply to require packers who want to sell to the Federal Government to use the tested methods now in existence to kill animals in their plants humanely.

In addition to the objections of the packers, the Department of Agriculture, and other government agencies, this committee will hear objections from Orthodox Jewish rabbis. In evaluating these objections, it should be borne in mind that for over 2 years these rabbis have been invited to submit any amendments whatever they might wish to make to the legislation to make certain that there could be no infringement on *shechitah*.

I have personally been in contact from time to time with Orthodox rabbis over the 2-year period, and the only amendment ever submitted to me was that the bill be made to apply only to pigs and horses. I was asked to check with the main sponsors and supporters of the legislation as to whether such an amendment would be acceptable. I did so, found it unacceptable to any, and so reported. Later, a conference of several Jewish organizations approved an amendment which is incorporated in the companion bills before you—H. R. 8308 and S. 1497—and with that amendment the measure passed the House of Representatives.

To make clear exactly what the situation is I quote from the remarks of Hon. Abe Multer in the debate on the floor of the House February 4, 1958, when he strongly advocated passage of H. R. 8308. He stated in part:

The Rabbinical Assembly of America and the Hebrew Congregation, which is the reform group, are in favor of and support this measure, as is indicated by the letter the gentleman put in the Record. Those groups, including the American Jewish Committee and the American Jewish Congress, agree with the amendment as the gentleman has it, and they say it makes this a good bill.

Two other supporting groups not mentioned by Congressman Multer in this particular statement include the United Synagogue of America and the Central Conference of American Rabbis.

In view of the absolute and unequivocal protection of religious practices provided for in the bill, and the fact that Rabbi Lewin, who is the leader of the Orthodox opposition to the bill, wished me to advocate a bill affecting only pigs and horses, thus indicating that he did not object to humane slaughter legislation per se, makes it very difficult to understand the opposition. However, it has long been my personal view that certain meatpacking opponents of this measure have had a hand in inciting opposition in the minds of many who were not born in this country and who do not understand the language thoroughly, and who, consequently, can be more easily victimized by skillful fearmongers.

There are no spectacular profits to be made by adopting humane slaughtering devices, but there are no losses. When a pig goes into the scalding tank with so little loss of blood that he still has the strength to swim, the carcass cannot be sold for human consumption—a ruling of the Department of Agriculture prevents this.

When a steer is so abused and terrified in the knocking pen that it turns out to be what is known in the business as “stiff” or a “dark-cutter,” a substantial financial loss is incurred. These losses are eliminated when humane slaughter is instituted. Further, the extensive bruising which results from brutal methods is likewise eliminated, and with it the loss of meat which has to be trimmed away and discarded.

Humane slaughter is as much of a boon to the men on the killing floor as it is to the animals. While there are the unfortunate few such as the laughing slaughterhouse attendant whom you saw in some of the pictures I showed you earlier who actually enjoy the gruesome cruelty of present slaughtering methods, the vast majority of workers take a job on the killing floor only because they need work, and as soon as they can get a job in another part of the plant they do so. Humane slaughter would prevent these men from being debased and injured as they are.

Only last week I met a member of a church group who, a number of years ago, was forced to take a job on the killing floor of a Boston slaughterhouse. Since that time he has never eaten meat from a four-footed animal, but only fish and fowl. His revulsion at the cruelty was so powerful that it has lasted for years. I hope that all of us in this room would have the same reaction under similar circumstances, but the packers are casehardened in the classic sense of the word.

The Nazis in training the fiercest and cruelest of their concentration camp personnel slowly developed their tolerance for cruelty until it all seemed merely a matter of course. They were casehardened. The controlling group of packers are the same. Missionary work with them is quite hopeless.

To believe that a study commission bill such as S. 1213 (which merely means the spending of more taxpayers' money for unnecessary research when humane slaughtering methods are already well developed and fully practical) would have the slightest effect is so inanely naive that no United States Senator could possibly be deceived by the packers' demand for it. Twenty-nine years ago they said they had to study electrical stunning; today they are taking up the same study again and asking for more time for it.

There are powerful forces on both sides of this legislation. Opponents of effective humane slaughter legislation have the power of the strongly entrenched meatpackers' lobby; they have the support of the Secretary of Agriculture and the Government agencies and organizations, such as the Farm Bureau, which he can summon in support of his position. Finally, they have the huge financial resources of the packers at their command.

Senator SYMINGTON. You say the Farm Bureau supports——

Mrs. STEVENS. S. 1213.

Senator SYMINGTON. What reason does it give for being against humane slaughter?

Mrs. STEVENS. It takes the same line that all opponents do, that more study is needed.

Alined on the other side in support of S. 1497 and H. R. 8308 is the press. Most of this country's leading newspapers, both Republican and Democratic, support humane slaughter legislation. Not even one paper of the first rank is opposed. The public wants humane slaughter legislation, and in a democracy this fact should count. More mail has been received in Washington asking for passage of this legislation than on any other subject.

Most important of all is the fact that the supporters of the legislation have the right on their side. Unnecessary cruelty is wrong. It is easily within the reach of Americans to stop cruelty to animals in slaughterhouses. It should be done. We most earnestly entreat the honorable members of this committee to send S. 1497 and H. R. 8308 to the Senate without amendment and without delay.

Senator HUMPHREY. Thank you very much, Mrs. Stevens.

Senator SYMINGTON?

Senator SYMINGTON. Mr. Chairman, I think the statement speaks for itself.

Senator HUMPHREY. Mrs. Stevens has put many years of work into this program. Her statement is a very candid and forthright statement. We shall from time to time during this testimony, Mrs. Stevens, ask others about some of the comments that you have made. The reference to the packers and the Department of Agriculture is one that I think needs further exploration. Not that I don't agree with your statement, because I think there is plenty of evidence to support it. But a group should not be in a strategic position of influencing policy.

Furthermore, you have not given the same importance to the economic facts that Mr. Myers has, but you referred to them. These facts are ascertainable, a matter of statistical evidence.

The reference to the nature of some of the opposition will be gone into in more detail tomorrow because on Tuesday, as I see here before me, a number of groups and individuals are testifying, both of the Orthodox rabbis as well as some of the economic groups and some of the working labor groups with reference to this bill.

Do you have any further comment?

Mrs. STEVENS. Would you like me to leave these, quite a number of editorials and articles?

Senator HUMPHREY. I would like very much to have them. As a matter of fact, it seems to me when we come to the actual committee meeting relating to this bill, the exhibits that we can have before us will be very helpful. I shall ask the clerk of the committee to keep these in safe custody.

Are these the editorials, Mrs. Stevens?

Mrs. STEVENS. Yes; there are some articles mixed in with them.

Do you want these stunners?

Senator HUMPHREY. It would be well if you don't mind, if we can have them for a few days.

Thank you.

Senator HUMPHREY. Mrs. George Fielding Eliot.

STATEMENT OF MRS. GEORGE FIELDING ELIOT, DIRECTOR, PUBLIC RELATIONS, AMERICAN SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS, NEW YORK, N. Y.

Mrs. ELIOT. Mr. Chairman, members of the Senate Committee on Agriculture and Forestry, my name is June Eliot—Mrs. George Fielding Eliot. I represent the oldest and largest animal protective organization in the United States—the American Society for the Prevention of Cruelty to Animals. The ASPCA, incorporated under the laws of New York State, has 16,000 members and contributors.

It is only natural to suppose that this membership, or any person belonging to any humane organization, would support any and all legislation for the protection of animals—in this case humane slaughter bill S. 1497 and its companion bill, H. R. 8308, passed by the House on February 4.

Nobody has had this brought home more clearly than you gentlemen who have been on the receiving end of their letters on the subject. Unless—unless it could be the heads of the ASPCA and other humane groups who have received thousands upon thousands of letters asking what the senders can do to implement the passage of humane slaughter legislation.

In case you're thinking "there's nothing new about this pattern," let me hastily add, not only is there something very new but something very revealing about the inquiries and the offers of help coming to us from complete strangers.

A high percentage of our humane-slaughter mail, emanating from every section of the United States, is from individuals who are not members of any organized humane movement. This mail is coming from ordinary Americans with a wide variety of interests—doctors, lawyers, businessmen, secretaries, housewives—rich and poor. While their major concern may not be animals, their instincts rebel at the thought they may be responsible—even indirectly—for the needless cruelty to animals in order to satisfy their appetites. In short they want to be able to enjoy their next meal with a clear conscience.

Many of them were surprised and shocked to learn, through press editorials and other means, of the slaughtering methods still being used in the United States. They had assumed erroneously, until present legislation brought it to their attention, that in this land of progress and plenty our slaughtering methods were at least as modern as those practiced in other civilized countries around the world.

Now they know this isn't true. They also know humane slaughter methods are available to the packers—the Remington stunner, the Schermer stunner, the carbon dioxide immobilizer, and the electric knife. Why aren't these instruments more widely used is the question to which they want to know the answer.

In their own work they wouldn't expect in 1958 to compete with bookkeeping methods used by their grandfathers in 1910 or their fathers in 1935. So they're not convinced by the economic argument being offered by the American Meat Institute to the effect that conversion to modern humane slaughtering will cause a serious or permanent financial hardship to the packers.

Senator HUMPHREY. There was one phrase that you left out that ought to be in here. You said:

* * * conversion to modern humane slaughtering which will cause a financial hardship which will force down the price paid for livestock.

Mrs. ELIOT. That is part of the argument being used.

Senator HUMPHREY. The price paid for livestock is not related particularly to the cost of operation of a plant. It is related to the availability of supply of livestock. They can't have it both ways.

Mrs. ELIOT. It is an argument they have been using, however.

Senator HUMPHREY. In other words, what the packers generally tell our farm people is that the reason that the price of hogs is down in the month of October is because there are too many hogs, not because anything happened in terms of the overhead costs of the plant. They generally say, when they are here before this committee, that the reason that the price of hogs is up, say, in a month such as February, is because there is a short supply of hogs. And the law of supply and demand is working.

I merely wanted to add, having been on this committee a few years, and having listened to a great deal of testimony, that the price that one pays in an alleged free market for goods is not dictated by the overhead cost that one may have. In fact the price for which one sells is surely not dictated by overhead costs, either, because farm prices have gone up and overhead costs have gone up.

Mrs. ELIOT. Maybe the reason I left it out is because I couldn't explain it the way you have.

Senator HUMPHREY. I merely want to set the record straight on this point because I have heard this argument, too.

Mrs. ELIOT. They see that some of the more enterprising and astute leaders in the meatpacking field have already converted to humane slaughter methods—George A. Hormel & Co., Oscar B. Mayer & Co., Swift and Armour, among them—and their profits apparently are not diminishing.

In every other area of food processing the accent is on constantly improved methods. Why? Because companies have found they can compete successfully only by keeping up to date. How can those meatpackers, who are still fighting humane-slaughter legislation, really believe that the parade of progress won't eventually pass them by if they continue to cling to antiquated methods and cruel practices?

It could well be that the force of the very legislation they are opposing might one day prove to be an economic salvation for these same packers who are fighting.

Compulsory humane-slaughter legislation is a serious and too long neglected problem that demands the attention of the best minds in this country. And that, gentlemen, means you. Just as in Britain, only last Wednesday, it meant Sir Winston Churchill who, on his first day back in the House of Commons after a long illness, voted in favor of an amendment strengthening his country's prevailing humane-slaughter law. The amendment calls for the use of humane stunning devices, such as those described in S. 1497, under section 2, paragraph (a).

As for the millions of Americans who are supporting compulsory humane-slaughter legislation, because we are ashamed of the pain and

suffering animals now endure to bring us sustenance, we see in H. R. 8308 and S. 1497 at least a beginning to the solution of some of the unnecessary slaughtering cruelty now extant.

The American Society for the Prevention of Cruelty to Animals asks, in the name of all that is humane, that you report this legislation out of committee favorably and recommend that it comes before the entire Senate for vote.

I thank you.

Senator HUMPHREY. Thank you very much, Mrs. Eliot.

Senator SYMINGTON?

Senator SYMINGTON. No questions. Thank you.

Senator HUMPHREY. Mr. Macfarlane, director, livestock conservation department, Massachusetts Society for Prevention of Cruelty to Animals.

I believe you testified before us the last time, Mr. Macfarlane.

STATEMENT OF JOHN MACFARLANE, DIRECTOR, LIVESTOCK CONSERVATION DEPARTMENT, MASSACHUSETTS SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS, BOSTON, MASS.

Mr. MACFARLANE. I did, Senator.

Senator HUMPHREY. I recall your fine testimony.

Mr. MACFARLANE. I am John Macfarlane, director of the livestock conservation department of the Massachusetts Society for the Prevention of Cruelty to Animals in Boston.

I have prepared a statement which I respectfully submit for the record. If I may be permitted the courtesy of the witness chair for a moment or two I would like to speak off of the paper, inasmuch as you have the paper for the record.

Senator HUMPHREY. The paper will be printed as testimony and we will welcome Mr. Macfarlane's oral comment.

(The above-mentioned statement is as follows:)

My name is John C. Macfarlane. I am the director of the livestock conservation department of the Massachusetts Society for the Prevention of Cruelty to Animals, 180 Longwood Avenue, Boston, Mass. Our organization was founded in 1868, and its membership extends to all 48 States.

The field of animal protection has been my professional vocation for 31 years. During these years the study of meat animal slaughtering techniques has occupied much of my time.

In the past I have been privileged to work with many livestock organizations, and I have been permitted to assist in the field testing of several new "stunning" developments, the first of which was the Remington humane stunner, a revolutionary new idea involving immobilization by concussion, that is presently being used by over 200 meat slaughtering plants in the United States and Canada.

There are well over 5,000 slaughterhouses in the United States, yet only a very small fraction of them have voluntarily changed their killing methods and are now rendering their animals unconscious prior to suspension and commercial slaughter. Even though it is well known today that only plants doing interstate business will be affected by a Federal law, a few of the small plants doing business within a single State have voluntarily adopted humane methods. Many slaughterhouses in both categories, however, insist that they will do absolutely nothing to obviate the objectionable features on the killing floor until they are compelled to, by law, either Federal or State.

The special humane slaughter study committee sponsored by the American Humane Association and the American Meat Institute has met regularly since its reactivation, and its deliberations have brought forth many worthwhile and constructive thoughts. Only by mutual respect and cooperation can we resolve our problems, of whatever nature they may be. I believe that the changes made

in most of those plants presently using humane methods on one or more classes of livestock would not have been made had it not been for the work of this special committee which is comprised of packer and animal welfare personnel.

While the members of this committee have often disagreed, we have (on both sides) attempted to use reason and commonsense in our discussions.

Two of the major packers are at this moment testing the Remington humane stunner on classes of livestock other than beef animals. I am told that these tests are proving quite satisfactory in many respects.

In my opinion, it is an indictment of our American meat slaughtering industry when we read about the history of humane stunning devices which had their beginnings in Europe.

The Swedish pistol, Formator, made in Stockholm, the Stoff pistol, made in Germany, the Temple-Cox and the Cash-X penetrating tools made in England. England also produced a 38 millimeter revolver, the Grecner pistol and the Humane Killer which was developed for the Royal Society for the Prevention of Cruelty to Animals.

Electricity is used in many slaughtering plants in Europe, and only last month I received a letter from Dr. Thys Houthuis who is known to many of us as the Dutch veterinarian who for many years directed the public slaughterhouse in Rotterdam, Holland. It was he who perfected the method of inducing narcosis electrically by using a type of equipment known as the Elther. Dr. Houthuis has recently assisted in setting up a rather large slaughterhouse in Teheran, at the request of the United Nations. He told me that they are now using electricity to stun 1,200 sheep an hour. Both Dr. Houthuis and Eric Wernberg, the Danish engineer who developed the horseshoe shaped CO₂ equipment for Danish pigs, are now working in close cooperation and they believe that CO₂ and electricity can be used effectively on all small animals—sheep, lamb, young calves, and hogs.

I am in complete agreement with members of the Meat Inspection Branch of the USDA when they say that electricity could, and often does, create lesions in the meat and internal organs of livestock which could be confusing to meat inspectors in plants where the hourly kill is relatively high. I think we will agree that the amount of time given to veterinarians who inspect meat is all important, and where sufficient time is allowed for individual carcass examination, there is little likelihood that lesions caused by electric current would be mistaken for lesions found in the early stages of disease. I do not agree, however, that the small packer killing only a few animals every hour could not use electricity most effectively with maximum safety and minimum cost.

In all of my previous appearances before legislative committees, I have indicated that the so-called shock method of immobilization, where a higher voltage is used, can create indistinguishable hemorrhages that could prove confusing. It is my belief that only where a low voltage is used, with an accurately controlled amperage of 600 milliamperes, do we find complete immobilization or narcosis, minus these objectionable features.

To induce this type of unconsciousness, the current must not be over 70 volts, and in the case of hogs, it would take 15 seconds to be effective.

I have observed the use of electric current as applied to cattle in Europe where the electrodes were placed against the zygomatic arches. In my opinion such equipment would not only be impractical in our country, but its use would be physically impossible.

The meats department of the College of Agriculture, University of Connecticut, has been using the Elther unit on sheep and small calves and the Remington humane stunner on cattle. The faculty has kept me posted on results, and so far, no animal slaughtered for the purpose of teaching at this institution has shown objectionable lesions anywhere. The meat is carefully examined by competent veterinarians and subsequently sold to the public.

Yes, today there are several practical methods of stunning meat animals—methods that have been proven to be economical, safe, and effective. Opponents will say that humane methods would increase packer costs and reduce producer profits. Such an opinion is far from the truth and is undoubtedly predicated upon the determination as expressed by a few packers that any attempt to force a change in their operative techniques must be killed at any cost. It was even inferred that it would cost too much money to be humane.

When anyone infers that there are no positive methods available for immobilizing livestock today or that to render animals unconscious prior to the kill would cost too much or reduce producer profits, such opinions are motivated, in my opinion, by 1 of 2 reasons. (1) he rebels because his methods are being

labeled as brutal or inhumane and he resents the intrusion into the killing phase of his business that is being made by an alarmingly high percentage of the meat-buying public or (2) he is under the illusion that the meat slaughtering business is so powerful that no force can cause him to change his killing methods. The great volume of mail that has reached Washington urging the adoption of compulsory humane slaughtering indicates that many thousands of Americans are not under the same illusion.

I am very much afraid that if the humane slaughter bill introduced by the Honorable Senator Humphrey is defeated, when and if it reaches the floor of the Senate, such action may well be looked upon by our people as an indication that we have reached that point where all of our spiritual and moral values are wrapped up in a dollar bill.

I leave it to the good judgment of this committee to evaluate the arguments in opposition to the many humane slaughter methods already in use in over 200 plants.

Only the other day I heard that a packer employee complained that he became ill as a result of the fumes from the blank cartridges he was using in knocking cattle by concussion.

In closing, gentlemen, may I suggest that the adoption of humane slaughter methods would make the difficult and dangerous job of the "knocker" a great deal easier and not nearly so hazardous.

Opponents of humane slaughter practices seem to forget that the packer employee who shackles conscious animals works under (what is in my opinion) the most difficult conditions imaginable.

Gentlemen, I pray that you will act favorably upon the bill that is before you and that you will not be lulled into accepting a "no time limit" study bill. Twenty million Americans, who have been or are members or supporters of animal protective organizations, are anxiously awaiting your final decision.

Mr. MACFARLANE. I think that before the hearing has ended, the committee will have been subjected to a montage of inconsistencies which you, Senator Humphrey, will be able to differentiate between those that are right and wrong, having had the testimony given to you before other hearings in the past.

I brought with me the up-to-date model of the new Remington humane stunner which I will demonstrate in a moment. Before I do, however, I would like to say one thing for the record:

I believe we should try to be fair and equitable in our deliberations with each other. I am not going to cite any individual packing plant, but I am going to cite one individual member, former member of a packing plant who is in the room with us today, and I am not, in doing this, trying to put him behind any eight ball in the least. I think Mr. Eshbaugh, who was with the Swift Co., deserves the applause of all of us in the humane field because it was he who championed the use of the Remington humane stunner in every one of the Swift beef-killing plants throughout the United States and Canada.

I think it is only fair to say that because I have seen editorials that were vitriolic in nature aimed at the Swift Co. and at other packers, and I think that where a man has stood up and was willing to fight for a principle, it should be recognized.

Senator HUMPHREY. Is Mr. Eshbaugh—

Mr. MACFARLANE. Mr. Eshbaugh is not with Swift now. I don't know what his connection is at the moment. I am not at liberty to divulge. But he is a friend of mine and I think he deserves the applause of all of us for his forthright stand in making the tests available in the very beginning, which brought about the development of this Remington humane stunner.

Let's put it this way, Mr. Chairman: Had it not been for Mr. Eshbaugh we probably would still be playing in the early stages of de-

velopment of this particular tool. This, incidentally, is a little bit different from the one you saw previously.

Senator HUMPHREY. I think I saw this in Chicago at the American Meat Institute. I visited their convention this year.

Mr. MACFARLANE. That's right. Since that convention they have made still further renovations or have made little additions which have made it more practical and better to use. It now has an exchangeable or interchangeable part which can be substituted for this plunger for those packers who wish to penetrate through the frontal bone and who do not have reason to save the brain as a salable by-product.

It was my thought originally back when Remington first began to think in terms of this development, that if they could develop something which could stun by concussion, which would not penetrate into the brain, which would not force hair, hide, and bone into the animal brain, that a majority of the packers that did have a market for brain would be willing to use it, where they would not welcome a penetrating type instrument which forced a plunger into the brain and would cause it to be condemned in those plants under Federal inspection.

So they developed this type of instrument which I believe is working out very effectively in over 200 plants in this country and in Canada. As Mrs. Stevens indicated a moment or two ago, I think before the end of this year, from letters that I have received from Canadian friends, they expect to have compulsory humane slaughter legislation in the country to the north.

This is a gun which no one has ever talked about in these committees, Mr. Chairman, and yet in my opinion it is a better mechanically made gun than anything on the market today, as a penetrating type instrument. It is called the Temple-Cox, and this particular model is the Mark VII. It is made in England.

Mr. Temple is an American. He went to England and joined forces with a man named Cox, and the two of them perfected this many, many years ago. It has been on the market just as long as the Cash-X.

The sales brochures that they give out with the Temple-Cox indicate that packers who use it may use it 1,000 times before they have to put it into the shop for repairs, which I think is a good sales point.

It is simple to operate. That loads it, and that fires it. When it is fired, this plunger comes out $2\frac{1}{4}$ inches. It is used as a penetrating instrument, either behind the atlas or through the frontal bone into the brain, as I say, for those packers who do not care whether they ruin animal brain or not. This is used for calves, sheep, and other small animals.

A counterpart of the small gun is the larger and heavier Temple-Cox which weighs 8 pounds. It is activated in the same way, however, not quite so easily. You have to trigger it with two hands, or set it.

When this plunger comes out, it comes out the same distance. If I were to explode it in the hearing room it would penetrate about an inch and a half of good pine wood, seasoned wood. So it has no difficulty in penetrating through the frontal bone of an animal's head. They will invariably go down.

However, there have been occasions, Mr. Chairman, where even these, along with the Temple-Cox, Cash-X, and Schermer, where they have been known to stick. There are those occasions. Just as a man with a hammer will occasionally make a mistake, these are no better than the human counterpart who uses them. If the blow is put into a wrong area, where the bone structure is a little bit thick, occasionally the bolt will stick.

We have had difficulty, I believe, with both the Cash-X and with this Temple-Cox on occasion where the bolt has stuck and has been taken out of the operator's hands, and he would have to go down into the knocking pen and retrieve it. It doesn't happen very often, but it does happen. I think we should indicate for the record that it isn't a foolproof method; no method is.

This, the Remington, is as nearly foolproof as anything on the market today, if it is used properly in the hands of a competent and well-trained knocker. There is no reason at all why a knocker shouldn't knock a hundred animals, we will say, with 106 or 107 cartridges. I think that is a reasonable estimate and I think it is a fair statement.

I don't think there is anything on the market that we can point to with any degree of full faith that it will operate 1,000 times with 1,000 cartridges or 500 times with 500 cartridges.

Senator HUMPHREY. But that is also true of the hammer type of cartridge?

Mr. MACFARLANE. With a hammer, I am afraid that the hits are perhaps a little bit more numerous, Mr. Chairman.

Senator HUMPHREY. I meant there surely wasn't perfection there either. It wasn't a hundred animals for a hundred hits.

Mr. MACFARLANE. Oh, no. Remington is, of course, much more practical and much better, much easier.

By the way, you may be interested in this: Last Thursday I had a telephone call from a small packer in my area indicating that they didn't like the Remington stunner which they are using. When I asked him why, he said that his knocker complained that he had violent headaches from the smell of the powder after he had used it in stunning 10 or 12 beef animals. The powder fumes would cause him to have headaches. I am not being facetious; I am just passing that on to show you how far down into the barrel sometimes they will go for excuses when they want to sabotage something.

I have seen this instrument in the early days of development, the Remington instrument, taken by operators during their coffee breaks, pleased with the fact that they had a tool which would make their work so much easier, not quite so difficult on their back muscles, and much easier to apply to the head of an animal.

During their coffee breaks they would call their friends over and they would want to demonstrate how easy this operated. And so they would load it, which is done as you remember by putting a blank cartridge in the breech, locking it, and then this trigger is what forces the hammer to fire.

This just come from Remington. It is a little harder than I anticipated.

This chap took the tool during the coffee break and when showing it to his friends exploded it against the side of the knocking pen which

is made of steel. And in doing so he bent this shaft. So, of course, the whole tool was inoperative and had to be sent back to the shop.

Immediately there would be complaints go in to the manufacturing company that the thing didn't work, and he would have to send a man up to show them what was wrong, why it didn't work. It is an instrument.

In the very beginning the members of our American meat industry and Meat Institute and AHA committee began to refer to this as an instrument rather than as a gun, thinking that the operator would treat it with a little bit more care if he thought he was working with an instrument.

You may also be interested, Mr. Chairman, to learn that when we began to allude to it as an instrument, on one occasion it was even insinuated that perhaps because the men were using instruments their rate of pay should be higher because that would put them in a higher classification, making them almost machinists of a nature.

There have been many inroads, many, many blocks to the progress of this development.

I think it is only fair to assume that there are enough good methods available today, using carbon dioxide, which we know works effectively on hogs, which I believe can be made to work effectively on sheep. The Temple-Cox, Cash-X, Schermer, Remington Arms instruments, these methods are available, they are cheap, their maintenance is not high. At the moment there are three pneumatic tools in the process of development. I believe one manufactured in Chicago or being manufactured by a concern in Chicago is perhaps available today in a limited number. There are 2 other concerns, 1 in Connecticut and 1 in Cincinnati, Ohio, that are working on similar types of concussion instruments rather than penetrating, so that they can knock these animals out by concussion, pneumatically activated.

By the way, Mr. Chairman, when an animal is knocked out by concussion, if you left him alone for 15 or 20 minutes he would regain consciousness and come back on his feet. He would have a headache but he would be none the worse for wear.

Do you remember Dr. Houthuis, who was here from Holland?

Senator HUMPHREY. Yes, sir.

Mr. MACFARLANE. I have a letter in my possession which came from him 2 weeks ago. He was appointed by the United Nations as the man who was to set up a meat inspection plan for the country of Teheran. He has now completed his assignment.

In his letter he indicated that in this packing plant in Iran they have perfected the Elther unit of electronarcosis—inducing unconsciousness through electricity—and they are using it on 1,200 sheep per hour.

In my opinion that is a fairly high rate of kill, and I don't think any packer in this country could object to it. They are not running into indistinguishable lesions, as the Department of Agriculture brought out after Dr. Simonds' report was read in 1936 and made a part of our record.

I would also like to make it clear for the record, Mr. Chairman, that the report by Dr. Simond was an excellent one, and I think those of us who read it carefully believe that the man did a fine piece of work. But he did not study the Elther type of electronarcosis which was later developed by this Dr. Houthuis in Rotterdam, Holland.

In the University of Connecticut today, in the meats department, they are working with the same unit, the Elther, in teaching their students. They are killing their sheep, calves, swine, and beef animals—the three small ones with electricity and the beef with the Remington stunner.

Senator HUMPHREY. Excuse me. Is there a representative here from the Department of Agriculture?

Dr. MILLER. Yes, sir.

Senator HUMPHREY. Dr. Miller, I just wanted to be sure that you are here. When you come up to testify I want to have a report as to what amount of research has gone into these instruments by the Government. I don't necessarily mean this particular instrument, but just how much money and how much time and how much man-hours, how many—people have been devoted in the last 2 years since you have had fair warning to this type of improved slaughtering practice—and how has it been conveyed to the industry.

I think that you ought to have in mind a pretty detailed report of just what you have done since May 1956.

Dr. MILLER. Yes, sir.

Senator HUMPHREY. At that time we had some indication that something would be done.

Mr. MACFARLANE. Are you familiar with Dr. Simond's report?

Senator HUMPHREY. Yes, I am.

Mr. MACFARLANE. I hold no belief with it. It was a good report. He did the best he could with the conditions that he was testing at the time. But he did not test the Elther unit. It has never been tested by the Department of Agriculture. To my knowledge it has never been tested at any of the Federal meat plants in the country. It is now being tested at the University of Connecticut, and I have offered it to the Department and to the packers, should they wish to use it experimentally.

We have found no objectionable splashes in the brain or byproducts as a result of electric current that is properly administered. I do not say that Dr. Houthuis' method of electric shock can be applied to hogs in the United States, because of the time element involved. It takes anywhere from 15 to 20 seconds, if you recall my testimony before, to use a slow method of 70 volts on a hog before he becomes comatose. The hind legs will begin to straighten out and, at the point when they are at their greatest stretch, they remove the electrodes, and at that point the hog is completely insensible and no longer moves. I could not recommend that for plants where the slaughtering, where the cadence of kill is 100 or better an hour. But it can be used in small plants where they kill just a few an hour. And, if they wish, they can use 185 volts on sheep. Sheep will go under instantly. There is no waiting period at all. There are no hemorrhages, no splashes in the organs, nor in the tissue of the meat, the red meat itself.

The meat that is prepared as a result of slaughter by the University of Connecticut today is made available, after it has been inspected by the university veterinarian, to the students, the faculty members, and to the general public.

Senator HUMPHREY. Is this meat that is made as a result of humane slaughter?

Mr. MACFARLANE. That is right.

Senator HUMPHREY. At the University of Connecticut?

Mr. MACFARLANE. Yes, sir.

Senator HUMPHREY. They have a research project there in humane-slaughter methods?

Mr. MACFARLANE. That is correct. It is the only university in the United States today that is teaching humane slaughtering techniques to the students of its meats department course.

Senator HUMPHREY. That is an interesting observation. I wonder why the balance of them aren't doing something about it. We have some rather substantial schools of agriculture around my way.

Mr. MACFARLANE. You have one of the best, sir.

Senator HUMPHREY. I am going to find out why they are not doing something about it, too.

Mr. MACFARLANE. I think that Remington or some of the other manufacturers could be very quickly induced to send some of these stunning pieces of equipment to the University of Minnesota, Senator.

Senator HUMPHREY. Or Iowa State College.

Mr. MACFARLANE. It is a wonderful opportunity. If we can teach our young people who one day will be operating our packing plants the difference between being kind and being brutal, perhaps the day will come when we won't need to have these little deliberations or meetings. We can meet eye to eye and say we have resolved our problems.

Senator HUMPHREY. Would you be kind enough to get me a report from the University of Connecticut, so that I can forward it to the University of Minnesota's School of Agriculture?

Mr. MACFARLANE. I shall be happy to do so, sir.

Senator HUMPHREY. I just can't understand why there isn't more of this being done, in view of all the research funds we have appropriated for the Department of Agriculture. If they need more of it, they can get more. We gave them more research funds this year than they asked for.

Mr. MACFARLANE. The Remington Arms people contributed a stunner to the university, and I have let them borrow the Elther unit which my organization permitted me to buy while I was in Holland.

Senator HUMPHREY. How many plants use this Remington stunner now?

Mr. MACFARLANE. I cannot tell you exactly. The number is over 200.

Senator HUMPHREY. Any of the big ones?

Mr. MACFARLANE. Oh, yes. All of the beef-slaughtering plants of Swift and of Armour and, I believe, of Wilson. I am not too sure about that.

Senator HUMPHREY. Are they using it——

Mr. MACFARLANE. Effectively.

Senator HUMPHREY. Entirely? Or just partly?

Mr. MACFARLANE. Just on beef.

Senator HUMPHREY. Just on beef. Is all beef slaughter done with this type of instrument?

Mr. MACFARLANE. All beef is slaughtered with the Remington-type instrument.

Senator HUMPHREY. When did that start?

Mr. MACFARLANE. I believe from August of last year, Mr. Chairman, until the end of the year, about 11 percent of the beef slaughtered under Federal inspection—Dr. Miller can check me on this—is alleged to have been stunned by the Remington stunners. Is that correct, Doctor?

Dr. MILLER. That is the report I received, unofficially.

Mr. MACFARLANE. I believe they got their figures, Mr. Chairman, from the sale of cartridges divided into the number of animals killed daily, which is available from the Department of Agriculture, and that's how they got their statics.

Senator HUMPHREY. In other words, this instrument is being used now on the production lines of large slaughtering houses?

Mr. MACFARLANE. That is correct.

Senator HUMPHREY. Is it being used on an experimental basis, or is it being used on a continuing basis?

Mr. MACFARLANE. It is being used on a continuing basis as a tool of the trade.

Senator HUMPHREY. And this has happened within the last couple of years?

Mr. MACFARLANE. That is correct. And, as I said in the beginning of my testimony, I would like again to hear the truth that—if it hadn't been for the gentleman over yonder, perhaps they still would not be in use. He was very, very forthright and forceful. He was determined, with us, that this thing would work.

Senator HUMPHREY. I think they are to be commended for this. I spoke to the American Meat Institute and encouraged them to take these voluntary steps. I visited an exhibit or two on the humane-methods program being considered at the time. And in my address I said that I hoped that they would proceed on a basis of getting this job done, and then admonished them that, if they did not, somebody else would have to help them; namely, the Government of the United States.

Mr. MACFARLANE. That is true. I don't think that there will ever be 100 percent compliance, Mr. Chairman, unless there is some kind of legislation.

In closing my remarks, Mr. Chairman, I would like to draw your attention and the attention of your colleagues to the fact that we deeply appreciate your individual concern and your great effort in behalf of humane slaughter.

We would like to remind the committee that, as Dr. Young, from General Motors, said recently in one of his public addresses, it is time for all of us, young and old, to reevaluate our own thinking in America. We have, perhaps, gotten to that point where we assume that all of the great intrinsic values and freedoms that are American are wrapped up in a dollar bill. And, unless we can dissipate that thought, we are going to have fights on our hands all the time in passing such legislation as you are proposing.

Thank you.

Senator HUMPHREY. Mr. Macfarlane, I am very grateful to you. Your testimony is always well documented. It comes from a man of great experience and background. You are very helpful. I only wish that more were here to hear it.

Mr. MACFARLANE. Thank you, sir. I have called my office. The picture that you have referred to will be here by air in the morning. Should you choose to see it, I will have it.

Thank you very much.

Mrs. Robert Watson.

STATEMENT OF MRS. ROBERT WATSON, PRESIDENT, WASHINGTON HUMANE SOCIETY

Mrs. WATSON. Mr. Chairman, I have had the pleasure of appearing before you before.

Senator HUMPHREY. May I identify you for the record. You are president of the Washington Humane Society?

Mrs. WATSON. Yes. I hope you will recall that I have very definite terminal facilities.

Senator HUMPHREY. I remember you from the last time. You were very gracious and considerate.

Mrs. WATSON. The method and manner of slaughter in our local and nearby slaughtering plants have never been a secret to the Washington Humane Society.

Our agents, ever since the society was chartered by an act of Congress in 1870, have been making weekly inspections of these places and submitted a detailed written report to our board of directors.

However, because the animals involved were used for human consumption, it has been impossible for us to take corrective or restrictive action.

The Washington Humane Society believes that legislation prohibiting the cruelty which now exists should be enacted in essentially the form of the pending bill, and if so this society will, to the best of its ability, see that it is enforced. That is, locally, of course.

Our field agent is here with a report on his last week's slaughterhouse inspection and to answer any questions the committee may care to ask.

Senator, may I add just one thing? There is one weapon that I have not heard mentioned here today. I have done humane work for over 30 years, principally with large animals—horses and mules. I have twice purchased what is known as a greener or cattle gun from Canada, which, placed at the head of the animal to be destroyed, is noiseless, painless, and as far as I know, infallible.

Senator HUMPHREY. I am not familiar with that, but we appreciate your testimony on it.

Mrs. WATSON. There are two of them now being used at the Animal Rescue League. I purchased them when I was with them. Whenever the Humane Society has an animal to be destroyed, we use that gun.

Senator HUMPHREY. Is Mr. Ardigo your agent?

Mrs. WATSON. Yes. He is here.

Senator HUMPHREY. Thank you very much, Mrs. Watson.

I may have to leave you momentarily.

Go right ahead, Mr. Ardigo.

**STATEMENT OF FRED F. ARDIGO, FIELD AGENT, WASHINGTON
HUMANE SOCIETY**

Mr. ARDIGO. My name is Fred Ardigo. I am the field agent of the Washington Humane Society and make regular inspections of our local slaughterhouses and the manner in which food animals are slaughtered in our National Capital. I found that methods employed in our slaughterhouses are most brutal.

Calves are hung by their hind legs, on hooks run on an overhead trolley. The man who does the slaughtering uses a 10-inch-long-blade butcher knife and cuts the throat of the calf and then severs the head from the body with a number of sawing motions and the calf is pushed—still on the trolley—and a man starts immediately to remove the hide. Sometimes a sledge hammer is used to make the animal completely unconscious before the head is severed from the body.

Both of these methods are cruel and should be abolished.

It is the opinion of the Washington Humane Society that a more humane method should be used such as in other countries where the animal is made unconscious by the use of drugs before the slaughter.

Senator HUMPHREY. You indicated here that the traditional practice which has been testified to here in these two slaughterhouses is used in the Washington area?

Mr. ARDIGO. Yes.

Senator HUMPHREY. And you are underscoring the importance of finding and applying more humane methods?

Mr. ARDIGO. That's right.

Senator HUMPHREY. Mr. Ardigo, we thank you very, very much.

The next witness—after I return—will be Carlton E. Buttrick, president of the Animal Rescue League of Boston, Boston, Mass.

We have had a change of plans. Come right up, Mr. Buttrick.

Before the witness starts: As you know, this committee will be holding hearings on the subject matter before us tomorrow, which is April 29 and April 30, and if need be, on May 1. The proponents of this legislation are here today.

Tomorrow, it appears to me, from looking over the schedule, that most of the witnesses, if not all, will be the opponents of the legislation, exclusive of the Government agencies.

On Wednesday, April 30, we will have the representatives from the Department of Agriculture, the Quartermaster General of the Department of Defense, and the Deputy Commissioner of Food and Drug Administration, Department of Health, Education, and Welfare.

I mention this only because I am sure that some of you will want to be here, since the day of May 1, according to the statement I have here, says, "Rebuttal arguments." That ought to be a donnybrook.

You can't do much rebutting if you haven't done much listening. And so I am only going to call the schedule to your attention. What you want to do as to your presence is, of course, as you wish it. I thought you ought to know what our plans are in case you had not been informed.

The staff has arranged this equitably with the proponents, the opponents, the departmental witnesses, and then those who wish to come in for a replay will have their opportunity. I might suggest that it ought to be one of quality and not necessarily quantity. Of

course, if you can get quantity and quality together, that will be very good. But in rebuttal, when you come to the last day, it seems to me that the respective organizations on any side of this issue, whoever they are, ought to try to agree upon a certain amount of presentation. Otherwise we will be here forever and with the problem of rollcall votes there will be no real continuity of thought or expression.

I wanted to get that said before some of the other witnesses and visitors disappear.

STATEMENT OF CARLTON E. BUTTRICK, PRESIDENT, ANIMAL RESCUE LEAGUE OF BOSTON, BOSTON, MASS.; ALSO REPRESENTING THE NEW ENGLAND LIVESTOCK CONSERVATION, INC.

Mr. BUTTRICK. Mr. Chairman and members of the committee, my name is Carlton E. Buttrick. I am president of the Animal Rescue League of Boston and an officer and director of New England Livestock Conservation, Inc.

I wish to thank you for the opportunity to present the position of the proponents of compulsory humane slaughtering and, further, to say that there are literally thousands of members of the organizations I represent who are vitally concerned and who sincerely hope that passage of humane slaughter legislation will be accomplished in this session of Congress.

The passage of legislation to require the use of humane methods in the slaughter of livestock would be a tremendous step forward in the treatment of millions of this country's food animals. Many years ago, the Congress saw fit to pass legislation which would require animals in transit to market to be rested, watered, and fed every 24 to 36 hours, but no law or regulation has been adopted to insure the humane slaughter of these animals when they reach their destination, which seems to be a little incongruous.

The methods available have been very well covered by previous witnesses. It seems to me that this is an opportune time to bring the slaughterhouses of our country up to the highest standards found anywhere. Given the incentive of legislation, American resourcefulness and desire for perfection will result in the United States eventually leading the nations of the world.

It has been only when regulations and laws have forced their use that great experiments and discoveries have been put into practice on a national scale.

For example, tuberculin to test and discover tubercular bovine animals was in the demonstration status for many years with but limited use. It was not until compulsory methods and laws were passed in the States and backed by the United States Department of Agriculture that the disease was conquered.

Senator HUMPHREY. I remember those days some 25 or 30 years ago. I can remember tuberculin herds which fed milk into communities and gave tuberculosis to a number of children. I remember it happening in my own family, and I recollect it happening in the neighborhood. People went blithely along making money and selling tuberculin milk until somebody got enough sense to crackdown on them and have compulsory testing. Now we have been able to control this dread disease, and other things, such as hoof and mouth disease, brucellosis, and so forth.

Mr. BUTTERICK. The same is true of pasteurization of milk which was known and recommended for over 25 years, but little progress was made until State and Federal laws required pasteurization throughout the country.

So it will be with the adoption of humane methods of slaughter. With the methods now known it seems reasonable that the time has come to put these methods into general use by legislation.

There has been some reference made to editorial comment on humane slaughter legislation. If I may, Mr. Chairman, I would like to refer very briefly to an editorial which appeared in the Boston Herald on Thursday, January 24, 1957. This was prior to any action or humane slaughter legislation:

The poleax and the scalding tank have been the symbols of 20th century civilization. Yet if Congress passes humane slaughter legislation at this session, much will have been accomplished to curb misery. And, perhaps, much for the human spirit as well. The toleration of the poleax is an evidence of a deeper social ill than mere inefficiency. Across our vaunted prosperity and liberty is written an awful slogan: "After all, they're only animals."

But, are they, really?"

On February 7 of this year, 1958, the same paper, the Boston Herald, had an editorial in its morning edition entitled "Ending a Cruelty." I would like to read it into the record, if I may.

Senator HUMPHREY. Why don't you just place it into the record, since I am the only Senator here at the moment? We will make it available to all others. And I want to place it in the Congressional Record and commend the Boston Herald.

Mr. BUTTERICK. I wish you would do so because I feel that this editorial expresses the sentiment of not only humanitarians but humane organizations across the country.

(The document follows:)

[From the Boston Herald, February 7, 1958]

ENDING A CRUELTY

The cruelty of shackling, hoisting, sticking, and bleeding of fully conscious animals is contrary to the moral code of our country. While slaughterhouses have been improved architecturally, handling methods have been modernized, and meat-inspection services have been streamlined, the method of the "kill" has remained virtually primitive in America.

The new humane slaughter bill passed by the House and sent to the United States Senate should, however, mark the beginning of the end of barbaric slaughterhouse practices. This bill, which is long overdue, provides that after 1959 the Government will purchase meat only from packers who use humane methods in all of their plants. The bill states as national policy that livestock must first be rendered insensible to pain before being killed.

Introduced by Congressman W. R. Poage, of Texas, who has studied the problems of humane slaughter at firsthand, the legislation is probably not as strong as most humane societies would desire. But its moderation acts as a sensible reason for approval, and indeed may prove to be more effective in the long run.

It provides an incentive for humane slaughter rather than a compulsory law, which some slaughterhouses might try to evade. Over 75 percent of the animals slaughtered in the United States are killed by packers with Government contracts. It is not likely that any firm would want to lose this business. Moreover, the possibility of economic hardship on smaller firms, which caused many Congressmen to initially hesitate, is now eliminated.

Humane slaughter methods, in use in Europe for over a quarter of a century now, have proved eminently economical and efficient. The Remington humane stunner, the captive-bolt pistol, the Hormel carbon dioxide tunnel, and other cheap and functional methods of anesthetizing animals are completely feasible, and should have been adopted long ago.

Let's hope the Senate approves the bill and allows the Secretary of Agriculture to invoke these methods which are clean, swift, and the mark of a truly civilized society.

Mr. BUTTRICK. In conclusion I would simply like to summarize a few points that have been made up to this time.

It appears that I am the last speaker directly from a humane organization. Very briefly I would like to leave this with you as a summation.

First, there is great public sentiment for humane slaughter legislation.

Second, the present S. 1497 and H. R. 8308 are the result of long study and compromise.

Third, it is now practical to take this important step to greatly reduce inhumane slaughter.

Fourth, the Federal Government may equitably pass legislation for humane slaughter just as it requires meat products to be Federal inspected.

Fifth, methods are now available which would not create an economic hardship on even the smaller packing firms.

Sixth, this is the time for action. S. 1497 should be passed by the Senate and signed into law.

Senator HUMPHREY. Thank you very much, Mr. Buttrick.

Mrs. Frank West is our next witness.

STATEMENT OF MRS. FRANK A. WEST, MEMBER, BOARD OF DIRECTORS, TAIL WAGGERS' CLUB, INC.

Mrs. WEST. I am Mrs. Frank A. West and I am a director of and speaking for the Tail Waggers' Club, which conducts a nonprofit animal clinic at 71 O Street NW.

Last year 11,107 animals were treated at the Tail Waggers' Clinic and it is understandable that the directors are concerned with all animal welfare.

I am reading a statement prepared by Miss Edith Hamilton, our honored life member, who was last year the guest of the Greek Government for a trip to Greece when she was made a citizen of Athens. Twice last winter the New York Times has called her the most distinguished living American woman. She is not able to be present as, at the age of 90, she has just flown to Spain.

I cite these particulars so that you gentlemen may realize the following statement merits your attention. Miss Hamilton's statement follows:

I have been horrified within the last few weeks by learning that the old cruel way of slaughtering animals for food is still being widely used, and that still, just as in my youth, there is no law to forbid it. This is to me absolutely incomprehensible because we are not a cruel people; we do not want to eat what comes to us through pain and suffering. And yet as I know of my own knowledge, the facts about the slaughterhouses were investigated and publicized well on to 60 years ago. I have reason to remember it clearly.

In my class at Bryn Mawr was a highly gifted girl, Edith Wyatt, who published a book of short stories and Henry James said she was the most promising of all the young writers. And then she never wrote another book. She lived in Chicago and became involved in an investigation of the immense slaughterhouses there and what she saw in the course of it changed her life. The brutality was so shocking, she determined to devote herself to ending it. I expect at first she thought that it would not take long. If the facts

were made known Americans would surely not put up with them. But when she died, only a few years ago, all had long been known, but the cruelty still went on.

Inexcusably, I took it for granted that it had been ended, as I knew it had been in many European nations, and inexcusably I have not thought about it from then to now—and suddenly I learn that what Edith Wyatt 60 years ago gave her life up to fighting, is still going on and that the people who could stop it are saying there must be an investigation of the facts by experts first, which as we all know never has any time limit. It does not take an expert to recognize cruelty. Let us free ourselves at once from the terrible charge of profiting from cruelty. Then the experts can at their leisure evolve a perfect method of killing painlessly as well as insuring a good financial profit.

Senator HUMPHREY. I want to say, Mrs. West, that that is a wonderful statement. Thank you very much.

Mrs. WEST. That is a wonderful statement. She is a wonderful woman.

Senator HUMPHREY. I like to hear from these young people.

Mrs. WEST. She is young in spirit.

Senator HUMPHREY. That is what I mean.

Mrs. HENRY GARDNER.

STATEMENT OF MRS. HENRY A. GARDNER, MEMBER, BOARD OF DIRECTORS, TAIL WAGGERS' CLUB, CHEVY CHASE, MD.

Mrs. GARDNER. I am Mrs. Henry Gardner and a director also of the Tail Waggers' Club, of which Mrs. West is a director, and I am reading this from State Senator Edward S. Northrop, from Montgomery County, Md., who could not be here and asked me to read it for him.

As an individual who has long had an interest in the welfare and humane treatment of animals and in behalf of the Washington Humane Society and the Tail Waggers, I wish to go on record in the favor of the passage of Senate bill 1497.

The conditions that prevail in the United States in reference to the slaughter of animals for human consumption are outrageous. To think that we decry suffering of all kinds the world over and allow inhuman slaughter to exist in our land is beyond conception.

Eight European nations now have humane slaughter regulations. Two of our largest packers employ it at this time. It can be done here.

I commend you gentlemen who are behind this bill and sincerely hope it will receive a favorable report, pass Congress, and be enacted into law.

Senator HUMPHREY. Mrs. Gardner, please convey our thanks to State Senator Northrop. It is very good to have a State senator and a State representative take interest in this. I really think they set a fine example. I wish we could hear from more of them.

Mrs. GARDNER. I have been writing for years now.

Senator HUMPHREY. Thank you very much.

Dr. Babcock.

I remember you being here before. You are a fine lady.

STATEMENT OF MYRA BABCOCK, M. D., PLEASANT RIDGE, MICH.

Dr. BABCOCK. I am presenting a phase of the humane slaughter bill which concerns the possible effect on man of consuming meat from cruelly killed animals.

There are many complicated chemical changes in certain important organs of a body which occur only during a violent death. The prod-

ucts of these changes are thrown into the tissues of the body during the time of stress, in which the animal, fighting desperately for its life, in a state of intense fear and agonizing pain, dies.

Since no pathology can occur after death, these harmful substances remain in the tissues and are subsequently eaten by man.

Cholesterol, hormonal steroids, ascorbic acid, and other not as yet identified substances, most of which are instrumental in the production of arteriosclerosis, atherosclerosis, and resultant hypertension, may thus be a factor in producing the alarming increases in the deaths occurring today from cerebral vascular accidents (strokes, coronaries, and heart disease). Hardly a day goes by that some man walks out of the office with a good report and drops dead. Hardly a day goes by but that a leading executive works hard and drops dead, and there is no explainable reason for it. They just go. It baffles the medical profession. They say it is this or that. Frankly, they don't know what is making the men die like that.

I am offering a partial solution.

Since a quiet, painless death does not cause this violent insult to the protective mechanism of the body, the harmful chemical changes occurring mainly in the adrenal glands are not released. The adrenal glands are a part of the body which are tremendously powerful. It keeps us from having shock, helps us to fight and do many things. If a soldier has a sufficient amount of activity of his adrenal glands he probably won't die even though he is badly shot and hurt. If he hasn't a sufficient amount he will die. These animals die with that substance which is helping them to fight going into the tissues unused.

You can't find it by gross examination. It doesn't show as a bruise or blood clot. It shows in ways only chemists could possibly find out.

At the present time more meat is being eaten than ever before. More animals are being slaughtered in hideous ways of pain and terror. And more and more are the sudden deaths from unexplained reasons of men, and occasionally women, from a vascular accident.

Singularly enough, women don't have this as often as men do. In talking about unconscious death, where the patient is unconscious, I do not think that could possibly be accomplished by certain drugs which would render them unconscious, the so-called tranquilizers or ether and chloroform. I told Mr. Myers that I had a striking incident of what chloroform would do. I packed baby birds with chloroform. I left them in an open bottle not knowing that my cat Johnny would take any interest in the baby birds.

The baby birds disappeared. Johnny frothed at the mouth and he slept and slept and slept. It was bad for him if he ate the birds.

In countries in which merciful slaughter is practiced—controlled by law—there is an astonishingly small number, as compared to the United States, of deaths from coronaries and cerebral vascular accidents.

Surely, if not for mercy to the animals—and I mean this—if not for mercy to animals, this great country should pass a law which would, I believe, result in a definite decrease in this type of death.

We don't know why these people are doing it but they are unquestionably doing it. We are killing millions of animals and people are dying from unexplained causes.

Senator HUMPHREY. Doctor, do you know whether any clinical research has ever been undertaken that relates to the subject matter that you have just discussed here? In other words, the painful death of an animal, the tissue of that animal being subsequently consumed by a human being and whether there is any causal relationship that we can document from clinical observations?

Dr. BABCOCK. I don't know that there has. I think there undoubtedly will be soon because researchers are trying to find out exactly why people are doing this, why a man can have a perfect electrocardiogram and have nothing that you can lay your fingers on the matter with him and suddenly drop dead. It is not only among the high executives but all over the country.

A man may work at an office desk pretty hard and never have it, and another man may. We don't know how much of this meat is consumed, how much harmful substance is in it, but I believe research will eventually prove it.

What does prove it, Mr. Chairman, is the fact that in the countries where they have animals mercifully killed they don't have one-tenth of 1 percent of the cause that we have. Whether that is a significant factor or not I leave to you. I personally believe it has something to do with it.

Senator HUMPHREY. Thank you very much.

Mrs. Dorothy Dyce.

Thank you for being so patient and waiting. Mrs. Dorothy Dyce, from Detroit, Mich.

STATEMENT OF MRS. DOROTHY DYCE, DETROIT, MICH.

Mrs. DYCE. My name is Dorothy Dyce, of Detroit, Mich., and I am testifying for myself and for other women who are absolutely appalled by the inhumane conditions in the majority of our packing-houses.

To demonstrate that women are concerned about humane slaughter, I should like to testify that when this bill was under consideration in the House of Representatives, six housewives and myself drew a petition requesting prompt consideration of it. 1,761 women signed our petition promptly, and it was sent to Congressman McCormack. We could have secured many more signers had we actively solicited them.

The Anti-Cruelty Association in Detroit recently distributed literature to more than 500 retail butchers and to many housewives urging them to buy meat only from those packers who are known to slaughter animals humanely.

This movement is growing all the time. Women are not apathetic about this legislation. They will make a house to house canvass if necessary to achieve humane slaughter—either by legislative or by publicity. This has been a subject under discussion, and I am one of the women pledged to make such a canvass.

I submit these facts to show how urgently American women want a humane slaughter bill enacted without further delay.

A favorite rebuttal against pleas for humane slaughter is:

We must apply commonsense to this problem. We must not let emotions endanger business.

Let me submit that there is no such thing as 100 percent pure reason without emotion. All our acts are tinged with emotions. Some emotions—like humaneness—are good and useful. Others, like greed and callousness, are evil. The women who advocate humaneness are no more emotional than those who would prevent it.

Another objection to humane slaughter legislation runs something like this:

It is a better to work this problem out by "study" rather than by compulsion.

In 1820 when the first laws were proposed asking humaneness for children 9 and 10 years old who worked in mines and mills, from darkness of morning until darkness of night, the same cry went up from the textile and mining moguls:

Let us alone. It will hurt our business. We'll work these things out by education.

Read the history of child labor legislation and you will see the analogy.

There is nothing in the whole history of America which shows more clearly the brutality and callousness which become possible when men, spurred by the lust for gain, are not controlled by laws or public opinion and are placed in a position of absolute mastery over their fellow humans—or over voiceless animals for that matter.

When the voice of humanity was raised then, the voices of hypocrisy cried, "Let us have education, enlightenment, but no compulsion." For 48 years they cried it, and then in one of those splendid moments of history our legislators were called to act in the interests of humanity, of justice, and of public morals. "Legislation gone mad," shrieked the exploiters of children. Today all America thanks God for those child labor laws. Even the exploiters have benefited by them—and the same thing will happen with humane slaughter legislation.

We are now confronted with the same patterns of thought, the same cries against compulsion, the same pleas about hardship to business which were raised against freeing children from labor slavery.

If after 48 years, education could do nothing to relieve the miseries of children, how much longer shall we raise the specious cry of "study" with respect to animal humaneness?

As Patrick Henry stated:

I know of no way to judge the future except by the past.

Since 1929 the packers have promised voluntarily to adopt humane methods of slaughter. They formed a Committee for Improved Slaughter Methods—and have been studying the question ever since.

Would it take the automotive industry 29 years to solve a problem? Or the electrical industry? Or any other progressive industry? Especially a problem which meat packers in 15 other nations have solved successfully. Nor would it take our meat packers long if they were sincerely concerned with humaneness.

Left to their own devices, they would study from now to eternity. Only an effective law will drive them beyond the studying period.

When Congressman Poage asked, how much longer they needed to study the question, they squirmed and evaded, using every stall known to the oldest member of the plumber's union to avoid a specific answer.

May I quote this incident which appeared in "Food Field Reporter" on September 30, 1957.

The American Meat Institute induced two of the Ford Motor Co.'s outstanding automation engineers to visit half a dozen typical meat packing plants. They spent almost a month at the task, and their recommendations were the subject of a report given by one of the men on the convention floor.

The conclusion was * * * "That the packer's operations from unloading through killing, down to the point of dispatch of the finished product are woefully out of date * * *."

The recommendations covered just about every slaughtering and packing operation from the killing until the finished product is on its way to the customer.

We already know that our meat industry is woefully behind other countries in humane slaughter practices. Apparently from what Ford engineers have reported, they are also woefully behind in automation procedures.

Here is the type of news item you read not infrequently. This appeared in the Detroit Free Press, February 28, 1958.

Fleeing a rampaging steer, 30 employees were evacuated just before noon Thursday when the animal broke loose in the slaughtering room of the Loewensteins & Son Packing Co., 1945 Adelaide.

Two patrolmen answered the call to dispatch the 850 pound steer by pumping 6 bullets into the enraged animal.

Bert Loewenstein, company vice president, said the animal had been stunned partly in the "knocking pit" before sliding down to the slaughtering room where its brief freedom ended.

Had these 30 men not been evacuated, some of them might have been injured, perhaps even killed.

Are packinghouses justified in pleading for exemption from humane laws while they fail to keep pace with modern business?

It may even be that packers are so woefully out of touch with customer relations that a humane slaughter law is needed to protect their market for them—as witness the tremendous increase in the number of women who are demanding Danish hams because they come from animals humanely slaughtered. This may be of some concern to Farm Bureau officials who oppose humane slaughter in America, while other countries are using it successfully.

Witness also the increasing number of women, like myself, who are asking butchers to save Hormel bacon for them. Women have a right to know whether their meat is humanely slaughtered. As they become better informed, the demand for products from humane processors will snowball, and the nonhumane packers may be left without a market.

They need this legislation for their own economic salvation. It will not be lack of funds for humane equipment which will drive some packers out of business, but lack of foresight as to where their market is trending.

Anything which is morally wrong can never be industrially right.

We are all fellow partakers in the crime of slaughterhouse brutality and torture—robbers of the peace and dignity of our fellow-men who are compelled for bread to brutalize themselves by slaughtering painfully the animals we use for food. We all share in the guilt until we have alleviated this needless cruelty.

The Detroit News of April 12 commented:

Any further Senate delay can only be a blow to our traditional humanitarianism and our professions of a decent concern for the least of God's creatures.

Men, through their meat institutes, their unions, and their chambers of commerce have been able to protect themselves, but who shall protect the voiceless and the inarticulate?

All cruelty and inhumaneness is harmful to mankind because when life, either human or animal, becomes cheap and common to us, something fine dies in our hearts and everyone loses.

Inasmuch as ye have done it unto the least of these, ye have done it unto Me.

Senator HUMPHREY. Thank you very much, Mrs. Dyce.

Mrs. DYCE. I have one more thing, if I may.

Senator HUMPHREY. Yes.

Mrs. DYCE. This is a statement from Dr. Stephen R. Kelly, president of the Michigan Veterinary Medical Association.

Senator HUMPHREY. This is very interesting.

Mrs. DYCE. He was not able to be present. I would like to submit it.

Senator HUMPHREY. The statement of Dr. Stephen R. Kelly, president of the Michigan State Veterinary Association, will be made a part of this record.

The Michigan State Veterinary Medical Association urges immediate passage of the Humane Slaughter Act. The doctor makes note of the fact that—

In view of the fact that the packing plants that have instituted humane slaughter methods have actually reduced the killing costs per pound of meat sold and have alleviated untold misery in thousands of these properly slaughtered animals, it would seem unthinkable that inhumane methods of slaughter still persist.

Please thank Dr. Kelly for the committee.

Mrs. DYCE. I shall do that.

Senator HUMPHREY. Thank you very much.

(The statement of Dr. Kelly follows:)

STATEMENT OF STEPHEN R. KELLY, PRESIDENT, MICHIGAN STATE VETERINARY
ASSOCIATION

Veterinarians in the United States are nationally recognized as men engaged in the profession of protecting the health and welfare of our Nation's \$11 billion meat industry. Last January at the Michigan State Postgraduate Conference for Veterinarians, the Michigan State Veterinary Medical Association unanimously stood behind support for enactment of national humane slaughter legislation.

Veterinarians working in abattoirs, who by the nature of their work are closely associated with the actual killing of animals for food, have for years felt the need for more humane methods of slaughter. These methods have been found and are being successfully used by several packing plants.

In view of the facts that the packing plants that have instituted humane slaughter methods have actually reduced the killing costs per pound of meat sold, and have alleviated untold misery in thousands of these properly slaughtered animals, it would seem unthinkable that inhumane methods of slaughter still persist. However, they do persist. They have persisted for decades and they will persist for decades to come unless legislation is written to end this needless suffering.

For years the institution of humane slaughter methods has been left up to the individual packing plant. Some have seen fit to use these improved methods. Others have not. Until legislation is passed to demand humane slaughter, many packing plants will persist in outdated, inhumane methods that inflict needless suffering of hundreds of thousands of our inarticulate 4-footed friends.

Therefore, we of the Michigan State Veterinary Medical Association urge immediate passage of the Humane Slaughter Act.

Senator HUMPHREY. Mrs. Connie Brooks is not here. Her statement will be made a part of the record following the statement of Dr. Kelly. Mrs. Brooks is from Detroit, Mich., appearing in her own behalf.

STATEMENT FIELD BY MRS. CONNIE LEE BROOKS, DETROIT, MICH.

I am Connie Lee Brooks from Detroit, Mich., appearing independently to urge passage of humane slaughter legislation (bill H. R. 8308 or S. 1497.)

The poet Byron said, "You can judge the depth of a country's civilization by the manner it treats its animals." If this be true, this country is less civilized than the natives who peered from the shadows to witness the landing of the Pilgrims.

Lurid stories are still told recounting the cruelties committed in our early history; yet the studied mass cruelties committed by one of our biggest and wealthiest industries would make a 17th century war dance look like a Sunday school picnic.

Because we recognize cruelty as the most debasing human trait and, like any characteristic, it becomes emphasized with practice. Mother begins training her child in infancy in acts of kindness because she knows that a cruel person is a dangerous citizen. Schools and Boy Scout groups teach compassion for helpless creatures; yet we place meat on our tables to eat that has been killed in a nightmare of blood, struggle, and terror.

If one of our Senators were guilty of clubbing his child's pet dog to death or hanging his kitten by the hind leg and cutting its throat, he would be considered demented, yet many of the lambs that endure these tortures with the full consent of our Senators have been raised on bottles and pampered by farm boys and girls who watched them gamboling on the meadow, innocent of the fate to which they are condemned.

This need not be a fact if our country would join all other countries that profess to be civilized, and pass laws to protect them.

Children join 4-H clubs and later attend colleges to study animal husbandry in an effort to raise better livestock. Money is expended to provide balanced diets and shelter; soft music is installed in the barns to make them contented; then they are sent to the torture chambers to be clubbed and stabbed to death. By the time the meat of these prized and contented animals reach our tables, it is a sorry mess.

Why does the meat industry have an aversion to progress, when other industries divert a large percentage of their earnings to experimental laboratories to improve methods and products? General Electric is proud that progress is their motto, but if they adopted the attitude of meatpackers, they would be bartering grease lamps and pine knots. With the same thought, our transportation would be oxcarts, not jet planes, and our news would still be hawked in muddy village streets by bellringers instead of by radiogram.

We are eager to utilize medical discoveries to ease our slightest pain. We have not hesitated to discard the services of herb doctors and strongarm men who held patients for surgery in favor of anesthetic, oxygen tents, iron lungs, and miles of spotless hospitals. No modern man would feel well dressed today minus his jeweled pillbox containing ease from every discomfort from headaches to dispondency, yet we are here today debating the feasibility of passing legislation to protect helpless animals whose only crime is being born in a wealthy Nation whose lawmaking bodies feel no compassion for their plight.

We have fought wars, tried and executed leaders of other nations for cruelty to the helpless. Our ambassadors have logged more flying hours than our satellites in their frantic effort to court the confidence of other countries, but fail to emulate their examples of installing humane slaughter to alleviate the suffering of our helpless animals.

Practice is more impressive than theory. A famous world traveler and TV raconteur wrote me and I quote, "In my world travels the criticism most often heard of America is her hypocritical pretensions of kindness while she ignores atrocities in her slaughterhouses that surpass all the combined cruelties of the rest of the world."

Senator HUMPHREY. Miss Virginia W. Sargent, Animal Protective Association, Garrett Park, Md.

**STATEMENT OF VIRGINIA W. SARGENT, ANIMAL PROTECTIVE
ASSOCIATION, INC., GARRETT PARK, MD.**

MISS SARGENT. Gentlemen, I intend to be brief and my words are mainly to the packers and other opposers of S. 1497. You have had ample statistics and levelheaded appeals for the worth of humane slaughter of American food animals; have been informed of humane tools and anesthetizers, and of several of the packers who have been cooperative and humane enough to adopt some of these methods.

First, this is a moral and spiritual issue. The United States is supposedly a professing Christian country, founded by Christians. Its people as a whole do not purposely condone cruelty, if they know the facts. The most guilty murderers and other criminals condemned to death are brought to their guilty ends by the most humane methods man can devise for the death chair.

Then, why should we condone this endless stalling and delaying of the prescribed and available, more decent, more humane methods of ending the innocent lives of the countless millions of the speechless creatures which so many American people so mistakenly insist they must eat to live? Why, when so many of us, meateaters and vegetarians alike, want these animals killed decently, as we more and more learn the facts, must so much consideration be given the money-minded packers, who represent only a part of our vast population, and who, obviously, do not want nor intend, after 30 years, to mend their ways, at the most important point of all of the poor creatures' way to the table, from the farm and ranches, by way of the shambles—a painless death?

Kindly, be strongly reminded that these millions of creatures first of all are God's—not man's. As in Holy Writ, He has caused to be written, "For every beast of the forest is Mine, and the cattle upon a thousand hills," Psalms 50: 10. And in the Savior's command in Luke 6: 36, "Be ye therefore merciful, as your Father also is merciful."

We need no higher authority than this to open our mouths for the dumb and to cry "shame, shame" upon those, Christians and Jews alike, who persist in denying mercy to the innocent ones for which it can be made available, humanely and economically. And our prayers and deep gratitude to all those with kindness in their hearts who have labored so long to again stir up this matter and to bring it to final proper fruition—more humane ways to take the lives of those which cannot speak for themselves as prescribed in H. R. 8308 and in S. 1497.

I thank you.

Senator HUMPHREY. Thank you very much, Miss Sargent.

Mrs. Elmer Martin.

**STATEMENT OF MRS. ELMER MARTIN, CHAMPAIGN COUNTY
HUMANE SOCIETY, CHAMPAIGN, ILL.**

MRS. MARTIN. Senator Humphrey, I consider it a privilege to address this committee.

Senator HUMPHREY. We are very happy to have you here.

MRS. MARTIN. I represent the Champaign County Humane Society of Champaign, Ill.; the WSCS of the Wesley Methodist Church;

the American Legion Auxiliary of Post No. 71 and thousands of people in the area who are strongly in favor of the humane slaughter bill.

They have written hundreds of letters from our region to our various Senators and Representatives. They were all so happy when the bill passed the House of Representatives.

I want to make one statement regarding the University of Illinois and the killing of the beef cattle raised on the farms there. They are using the captive bolt pistol for the beef cattle. I know the butcher quite well and that is what he assured me. However, they have no humane method for the hogs and I can't understand why. He didn't know either. It is up to the head professor. We want to investigate that, however.

There is no reason why they can't use the electric stunner, of some type, for the hogs. They are not using it yet, but they are using it on beef cattle and have for a good many years. I believe they are also teaching in the College of Agriculture this humane method of killing beef cattle. One of the students in agriculture assured me of that about 3 weeks ago.

My point I would like to make is that of physical pain inflicted upon animals. In my experience in physiology class in the University of Illinois, where I have studied quite a lot (I have taught physiology and hygiene in Urbana Senior High), not even a little white rat or a white mouse is operated on without anesthetizing it completely.

Our professor assured us that if the little animal was not made insensible to pain, if some student were caught experimenting, he was immediately expelled from the University of Illinois. And I have reason to believe that this was actually carried out.

In the entomology classes, even the insects are never impaled on pins until they are completely dead. We have orders for that. They are put into cyanide bottles where the gas immediately renders them lifeless. Then they are pinned to the mounting boards. I think this is important, because so often people think it is an animal, it doesn't suffer like a human being.

Listen, folks, the higher the animal intelligence, the more pain there is. Psychologists who study animals will tell you, in general, they agree that a hog is just as smart as a dog. Would you tolerate a dog being stuck and half killed that way, and stuck into boiling water, maybe half alive? I think you would all raise a cry about it. But, because it is a hog nobody pays any attention until lately, say the last few years. We humanitarians have done so for quite a long time.

Illinois is a great beef- and hog-producing State, particularly the northern part. I have spent many months of my vacations on the stock farm of my sister and her husband. I have known many farmers. I do not know one farmer who has killed his hogs as cruelly as they are killed in some packinghouses. They use their rifles; they shoot them in the head, and then they stick them. And all the farmers whom I have contacted—and I have contacted many of them in the last couple of years with reference to this humane-slaughter bill—are strongly in favor of humane slaughter.

Tell that to your Senators and legislators. Maybe they don't think the farmers have an interest. They do have. Every farmer whom I know says this. And they are not killing them as cruelly as they are being killed in so many of our packinghouses today. I think that is a point worth bringing up, too.

Senator HUMPHREY. May I interrupt to say that it would be very well if those of you who have dedicated so much of your time and life to this worthy cause would ask for an opportunity to be heard before some of the farm organizations. You can imagine that the Committee on Agriculture and Forestry is very much impressed by the testimony of a great farm organization such as the American Farm Bureau or the National Grange or the National Farmers Union, or whatever other group it may be. Some of them have expressed opposition to this legislation; some have not. But it appears to me that not only is it well and good to have the support of editors and the support of your own fine organizations—and we are all grateful to you for these organizations and all the good work that you do—but I can see how important it would be, for example, if men and women of the caliber who have testified here today would select 1 or 2 of their committee spokesmen to ask to appear, not before a handful of officers but before a duly constituted convention—the State conventions, for example—of the Farm Bureau and of the Grange and of the Farmers Union. I think it would make a tremendous impression.

I have attended many of the lodge meetings of the Grange. We have the Grange in my State. It is not the largest farm organization, but it is a very fine organization. Some of the most religious, some of the most honorable, most decent citizens I have ever known in my life belong to this organization. And I can't believe for a moment that they would be anything else but in support of any type of program that would lead to more humane treatment for man or beast. I think they just don't get the message. It is resolved at higher levels, when, in fact, this is the kind of thing that needs to touch the hearts of people at the grassroots level, as we say.

So, I am going to encourage you, regardless of what may be the outcome here in Congress this year, of this legislation—and you know my hope is that it will be adopted, and you know that I shall do everything I can to get it passed—and, even if it does pass—I still think you need to build the kind of understanding and support at the community level.

If it shouldn't pass, then I hope that you will intensify your efforts and go right on out to the very places where the resistance is to be found. I can't, also, understand why a little more effort isn't being made to remind people in the packing industry that you would appreciate seeing products on the shelf that were from humane plants. That would be very effective.

Go ahead.

Mrs. MARTIN. Last year's president of the Mercer County (Ill.) Farm Union, George Schuessler, assures me that the farm union is back of the humane-slaughter bill, very strongly back of the humane-slaughter bill.

Senator HUMPHREY. The National Farmers' Union has supported it.

Mrs. MARTIN. I would like to quote a few things. The fourth of the Ten Commandments prescribes a Sabbath rest for man's animals

with other members of his household. In the New Testament, Jesus spends the time in the wilderness with wild beasts. His references to wild birds are on record.

The Heavenly Father feeds them—
and

Not one small bird shall be forgotten before God—

Luke, 7th chapter, 6th verse. St. Paul devoted a whole chapter to the subject of charity; that is, kindness. Yet people say the Bible says nothing of charity. It does.

If our lawmakers turn down the humane-slaughter bill, can we be a Christian Nation? These animals should be given a merciful death. Their meat gives us much nourishment and pleasure. We owe them at least a merciful death.

The wonder is that so long a fight has had to be made in Congress for a humane law. We are living in the dark ages, so far as our slaughter bill is concerned. The Renaissance, too, did not concern itself with animals, but there has been much concern in recent years.

Five million women of the Federation of Women's Clubs of America, as a lady this morning stated, can be powerful. And, if the Congress does not pass this law, I think there will be a general large boycott of certain types of meat, meat which is not butchered humanely; that is already rumored. In our own town, there are lots of people who are boycotting meat which they know not to be slaughtered humanely. I have many friends who are now doing that.

Perhaps never before, I would like to add, has the United States Senate had an opportunity to end, with one vote, so much cruelty.

Senator HUMPHREY. Thank you, Mrs. Martin.

Mrs. Jane Hoag, Kensington, Md.

STATEMENT OF MRS. JANE HOAG, KENSINGTON, MD.

Mrs. Hoag. I have no written statement. I have a babysitter with my children. I am speaking as a mother and speaking for the many mothers who can't get here because they have to be home taking care of the children.

I get 21 meals a week, 3 times 7. The children go to school. I pack their lunches, so that counts as a meal, and usually I use lunch meat.

We use meat every day except Friday, and that is a lot of meat.

My children ask me, "What is this?" And I say, "It is ham."

"What is a ham?"

"Well, it is a hog."

"How does it get here?"

Then you kind of circumvent around. The children ask, "Well, do they put them to sleep? What is this?"

"This is lamb."

"Doesn't it hurt it to get killed?"

Then I say, "They put it to sleep."

And so the mother is placed in the position of lying to the kids.

That is all I have to say. Thank you.

Senator HUMPHREY. Thank you very much, Mrs. Hoag. [Applause.]

I believe that concludes the testimony today, at least of the scheduled witnesses. I don't believe there are any others.

It is just 5 o'clock. I believe that we will call it a day.

The meeting tomorrow morning will start at 10 o'clock. The first witness scheduled is Representative Dorn, of South Carolina, to be followed by Chester Adams, the general attorney of the American Meat Institute, Chicago.

(Thereupon, at 5 p. m., the hearing on the above-entitled matter was recessed, to reconvene at 10 a. m., Tuesday, April 29, 1958.)

(Additional statements filed for the record are as follows:)

STATEMENT FILED BY HON. MARTHA W. GRIFFITHS, A REPRESENTATIVE IN CONGRESS
FROM THE 17TH CONGRESSIONAL DISTRICT OF MICHIGAN

Mr. Chairman and members of the committee, thank you for letting me once again present my views to your committee on the subject of compulsory, humane slaughter legislation.

At this point, I actually question if any more can be said in favor of such legislation than has already been said.

The volumes of evidence presented on this subject certainly show the need for such legislation. Those who propound and advocate a go-slow approach via the study method have been advocating the same since 1929 and they have produced nothing, it appears, least of all any study of the problem, by their own admissions.

Compulsory humane slaughter legislation is long overdue. At this time I would like to read to you a letter I recently received, and I am certain that you will find an overwhelming majority of our people are in agreement.

"NEW YORK, N. Y.

"DEAR MRS. GRIFFITHS: Thank you for your letter of February 4, 1958, informing me of the passage of the humane slaughter bill, H. R. 8308. You are to be congratulated on being the first Member of the House to introduce a humane slaughter bill.

"Undoubtedly, there are some who think that those of us who seek humane treatment of animals are crackpots. Believe me this is far from the truth.

"I am a businessman and executive of a large company doing business internationally, and have traveled widely all over the world. I am ashamed to see that our country lags so far behind other civilized nations in the humane treatment of captive living creatures.

"Some tribes in Ethiopia carve steaks out of a live cow, and plaster the wound with mud. This way they keep the creature alive as long as possible—that is until they literally cut most of the meat off its bones. They do this because they have no refrigeration to keep meat. How do I know? I have been there.

"Perhaps they can be partially excused because they are illiterate, savage, non-religious humans of a low order.

"What is our excuse? Some of the slaughter methods (and laboratory methods) are no better, or even worse.

"So—God speed you in your good work.

"Respectfully,

"(Signed) C. E. Boggs,
Foreign Sales Manager, the Parker Pen Co."

It is my earnest hope that compulsory humane slaughter legislation will be acted upon favorably during this session of Congress.

HOUSE OF REPRESENTATIVES,
Washington, D. C., April 29, 1958.

HON. ALLEN ELLENDER,
*Chairman, Senate Agriculture Committee,
United States Senate, Washington, D. C.*

DEAR SENATOR ELLENDER: I am writing to you with regard to the humane slaughter bill pending before the Senate Agriculture Committee.

Both as a Congressman and as president of the Southern Baptist Convention, I urge adoption of this legislation. Enclosed is a copy of a letter written to a Virginia resident by Dr. A. C. Miller, executive secretary of the convention's Christian life commission, and I concur fully with the sentiments expressed

therein. I would appreciate very much your including both Dr. Miller's and my letter in the record of the hearings.

Sincerely yours,

BROOKS HAYS.

(For letter noted above, see p. 260.)

NEW YORK, N. Y., April 26, 1958.

Re Humane slaughter bills

Mr. JAMES M. KENDALL,

Assistant Chief Clerk,

Senate Office Building, Washington, D. C.

DEAR MR. KENDALL: This will acknowledge and thank you very much for your telegram of April 17, 1958, pertaining to the above-mentioned bills, and advise you that it will be practically impossible for me to be in Washington as a proponent of the bills on Monday, April 28, although it has been my earnest hope and expectation to testify in person. Most unfortunately, I am in the midst of preparing an exceedingly complicated jury case which is to be assigned for trial next week in the Supreme Court of New York. In particular, I had wished to make the following points:

(1) Bill S. 1497 should be reported favorably forthwith because of the vital necessity of removing the stigma of callous cruelty from American methods as they exist today for the slaughter of poor, dumb animals; (2) the propaganda value of humane slaughter methods as against those of Russia should be of real importance to our State Department; (3) over 100 million inhabitants of Western Europe have had humane slaughter methods for many years and, from this point of view alone, are inclined to look askance at certain of our protestations of self-righteousness in other matters; (4) the few American packers who have adopted methods of humane slaughter are among the most prosperous in the business, so that it may not be rightfully stated that humane methods of slaughter are uneconomical; and (5) the substitute measures of Secretary Benson and of the American Meat Institute will only serve the purpose of delaying reform for an indefinite period.

It will be very greatly appreciated if you will make this letter available to the chairman of the committee to whom I should like to make it known that it is a fact that I, personally, have never recovered from the shock of the pitiful eyes and bleatings of the lambs and sheep, of the squeals of absolute terror of the pigs and hogs, and of the mute appeal in the eyes of the steers as they were led to slaughter, and then most cruelly slaughtered, in Chicago.

Very truly yours,

STEWART W. CHAFFEE.

HON. HUBERT H. HUMPHREY,

Senator from Minnesota,

Senate Office Building, Washington, D. C.

ALEXANDRIA, VA., May 6, 1958.

MY DEAR SENATOR: I am addressing this second letter to you in the understanding that my first letter last week has not yet been delivered.

This is in reference to the hearing concerning the humane slaughter of food animals, about which I am certain you have received many letters.

One fact appears to me to be missed by those who indulge in cruelty to animals—brutality and cruelty are contagious forces quite as deadly to the person of man as cancer is to the human body.

If perchance you have read the very excellent novel, *The Chain*, which revolves around the persons of an Episcopal priest and the sledge-hammer wielder in a Midwest slaughterhouse, you will remember the climax is reached when the man, made brute by his unfeeling job, finally kills the priest in the same manner as he had killed cattle for years.

I feel very strongly that there is no excuse for permitting cruelty in any form to be encouraged.

I therefore most strongly urge passage of such legislation as is necessary to stop the medieval methods of slaughter now being employed in much of the meatpacking industry of this Nation. To me it is most significant that the Nation of Argentina is even now forging ahead of the United States in preventing this cruel practice.

May God bless you always.

Faithfully,

EDWARD L. MERROW,
Rector, Grace Episcopal Church.

HUMANE SLAUGHTERING OF LIVESTOCK

TUESDAY, APRIL 29, 1958

UNITED STATES SENATE,
COMMITTEE ON AGRICULTURE AND FORESTRY,
Washington, D. C.

The committee met, pursuant to recess, at 10:08 a. m., in room 324, Senate Office Building, Senator Allen J. Ellender (chairman) presiding.

Present: Senators Ellender, Johnston, Humphrey, Symington, Talmadge, Proxmire, and Thye.

Senator JOHNSTON. The committee will come to order.

I have a telegram here addressed to Senator Ellender, and some letters, which I will ask to have made a part of the record at this point, along with various statements.

(The documents follow:)

NEW ORLEANS, LA., *February 14, 1958.*

Hon. ALLEN J. ELLENDER,
Senator From Louisiana,
Senate Building, Washington, D. C.:

The Poage bill on slaughtering methods, H. R. 8308, which passed the House without hearings is ridiculous and unless your Agriculture Committee has a hearing and checks into its provisions, not only the meatpacking industry but the meat supply of all Government agencies will be placed in a chaotic position.

1. The Poage bill calls for stunning animals with a single blow. Since no device which is known today can guarantee the stunning of 100 animals with 100 blows, there will be no legal method available for slaughtering cattle.

2. The difficulties of complying with the bill will restrict bidding on Federal meat contracts, will increase costs to the Government and will disrupt the marketing of livestock.

3. The present method used for slaughtering the great majority of hogs will be outlawed. Even if the Department of Agriculture can certify a substitute method, it is physically impossible for the industry to change over in the 2 years which the Poage bill provides.

4. Programs to stabilize the livestock market through Government purchases will be jeopardized. Representative Dorn's bill, H. R. 5820, as a substitute is a reasonable approach to a very complex and delicate problem. Senator Watkins' bill, S. 1213, is a companion bill to the reasonable Dorn approach which has the industry's endorsement. Thought you might welcome this information to intelligently handle this problem.

Regards,

FRED DYKHUIZEN,
President, Dixie Packing Co., Inc.

New Orleans, La., April 11, 1958.

Senator ALLEN ELLENDER,
Washington, D. C.

DEAR SENATOR ELLENDER: I am writing you in reference to the Poage bill, H. R. 8308, which passed the House a short time ago. No doubt, the persons responsible for this bill, which deals with the method of animal slaughtering,

are mistaken in their idea, seemingly, for they must be under the impression that this bill incorporates the most humane methods of slaughter.

It has been pointed out to the House, by Rabbinical Council of America and the Union of Jewish Congregations of America, that the bill threatens shechitah (religious ritual slaughter). Many objections still remain intact and others have been added, even though an amendment was made. The orthodox followers of Judaism therefore feel the bill unacceptable.

I call your attention to the attached statement drawn up by Rabbinical Council of America and Union of Orthodox Jewish Congregations of America. This statement explains why this bill is not acceptable.

I impress upon you that the performance of shechitah, is very important to the Jewish Orthodox religion, and I ask you please vote against it.

Cordially yours,

SAM KATZ,
WAREHOUSE SALES.

STATEMENT OF RABBINICAL COUNCIL OF AMERICA AND UNION OF ORTHODOX JEWISH CONGREGATIONS OF AMERICA

(Revised April 2, 1958)

The Orthodox Jewish Community in America is gravely concerned with proposed legislation now before the Congress aimed at introducing humane slaughter procedures. We readily recognize and identify ourselves with the deep sense of compassion innate in the American spirit which would motivate such legislation. We are proud that a basic principle of the Torah incumbent upon every Jew prohibiting the causing of pain to any living creature is part of the American way of life.

Nevertheless, we must oppose the proposed humane slaughter bill now before the United States Senate, Committee on Agriculture and Forestry, and specifically S. 1497, as amended, which is the companion bill of H. R. 8308. Should this bill be enacted, an agency of the Government will be responsible for the supervision of religious practices. Certainly, such legislation flouts the fundamental American tradition prohibiting the Government from interference with the religious practices of any faith.

Our concern is further underscored by the following:

1. The possible effect of such legislation on the right of the Jewish community to practice the basic religious tenet of shehitah (ritual slaughter). This divinely ordained method of preparing animals for human consumption is most humane.

2. Our deep concern for the humane treatment of all God's creatures as ordained by Scripture and Jewish religious law. Our religion recognizes that the taking of life in any form and regardless of what method is used is at best an inhumane act. The ultimate humane treatment of animals would require human beings to become vegetarians. However, as in the case of medical experiments and other use of animals for the furtherance of the needs and welfare of humanity, a compromise must be made. Jewish ritual slaughter is the manifestation of divine will instructing humanity that although the act of slaughter is permissible for the purpose of providing food, it must be done according to divine method which acknowledges that the Almighty has created animals for the service of man.

For the past 2 years we have exhaustively studied the problem of legislation from all aspects in consultation with interested groups and individuals. During the past 9 months, our study concerned itself specifically with H. R. 8308, and possible revisions or amendments thereto. We found that within the framework of this bill, it was impossible to satisfactorily resolve the problems inherent in such legislation.

ANALYSIS OF BILLS S. 1497 AND H. R. 8308 AS AMENDED

The exemption for "slaughtering in accordance with the ritual requirements of the Jewish faith or any other religious faith" is illusory. Because of the fact that animals have to be restrained prior to the act of slaughter, the bill, as interpreted during debate in the House of Representatives and by its sponsor in the Senate, would empower the Department of Agriculture to prohibit shehitah by outlawing reasonable forms of restraint which are used in connection with ritual slaughter.

The remarks reported in the Congressional Record of February 4, 1958, indicate that although the bill does not establish criteria for humaneness, it nevertheless empowers the Department of Agriculture to prohibit any and all forms of handling of conscious animals which they may deem inhumane.

Such an unfortunate legislative history leaves the Department of Agriculture no course other than to require all such livestock to be rendered insensible prior to slaughter, contrary to most religious laws. (See letter of True D. Morse, Acting Secretary, Department of Agriculture, in Congressional Record Feb. 4, 1958, p. 1442.)

The Congress of the United States thereby surrenders to the caprices of an administrative agency of Government regulatory powers which vitally affect the very existence of a religious group.

Even the oblique reference to the Weinberg pen in the Congressional Record (February 4, 1958, p. 1430) comes with an inadequate knowledge of its practicality on the American scene where it has never been used and without realization that at best it can be used only for large cattle and not for sheep or calves.

We well appreciate the difficulties the congressional committee encounters in the writing of the proposed bill. The present uncertainty as to what constitutes humane methods of slaughter, is further emphasized by section 2 of the bill, which is couched in negative language. The bill does not set forth affirmatively criteria for humaneness because of the impossibility at the present time to set forth such affirmative standards of humane slaughter. It approves as humane methods of slaughter those which in fact are presently deemed inhumane and injurious by, among others, the United States Department of Agriculture. Certainly, our conscience will not permit us to underwrite in any manner the treatment of animals which violates a principle of our religion concerning the humane treatment of animals.

The bill as now constituted specified that the animals are to be rendered insensible to pain by—(a) a single blow or gunshot; (b) electrical; (c) chemical; (d) or other means that is rapid or effective.

The inadequacy of these provisions is self-evident:

(a) A single blow is now the practice in most slaughter houses as far as cattle are concerned. It is, however, a fact that a single blow does not always render an animal insensible. Testimony has been presented that sometimes over 20 blows were used. If the first blow is insufficient, is the animal to be allowed to suffer?

(b) According to the testimony of the experts of the United States Department of Agriculture, electrical stunning is a disapproved method because it is not always accompanied by unconsciousness, because of the lesions produced in the lungs of the animal, and because such method renders impossible proper examination of the carcass.

(c) Chemical—this method has been found practicable only in the case of hogs and even there its effectiveness is questioned by many authorities. In the case of turkeys, for instance, and cattle, chemical stunning has produced asphyxiation, with the fowl and cattle exposed to great preceding torture.

(d) Other means that are rapid and effective—obviously, these have no particular meaning since the law does not specify what they are.

At the present time, the humaneness of these methods is questionable and legislation characterizing such methods as humane is not warranted by present scientific evidence. (See excerpts of testimony appended hereto.)

Congressional leaders have indicated that they would welcome changes in the bill which would eliminate the objections of the Jewish Community. We have made serious efforts to examine the possibilities of such alternative language and have come to the conclusion that this is impossible within the confines of the present bill.

It is not surprising that within the Jewish Community there was widespread opposition to this bill when first considered by Congress during the past session. There is a sorrowful history behind legislation such as this. We do not impugn in the slightest the motive of the proponents of the bill. Unfortunately, however, the motivations of those who have pressed such legislation in other countries and at other times have not been as benevolent. The exemption of Shehitah wherever such laws were enacted, has been used as a springboard for a continuous campaign to label Shehitah as inhumane and to ban it.

May we submit that the entire civilized world looks to the United States of America for leadership and guidance in the exercise of religious freedom. Bills S. 1497 and H. R. 8308, if enacted, may be misunderstood in other lands as official sanction of religious regulation and discrimination. Our apprehen-

sions are underscored by the fact that already in several State legislatures bills are being introduced called for humane regulation in the slaughter of animals. Indications are that these bills may, and in some cases do, omit the so-called protections that the Congress is attempting to include in the instant bill.

The problem of the humane treatment of animals is a very real one. We are convinced, however, that the present efforts to cope with these problems by legislation fall short of their purpose and indeed fail.

We do not see how legislation which in most instances is impossible of application, can serve the best interests of the cause which it seeks to promote. Until such time as there is developed an effective method that is practical and applicable, the purposes envisioned will be defeated.

Furthermore, we call attention to the fact that slaughter is only one small aspect of the treatment of animals. No concern has yet been expressed for the mistreatment of animals that is common in all segments of our community. We refer to such things as branding, castrating, dehorning of cattle, docking of lambs, hunting, etc. These also present serious violations of a human principle and should certainly be included in the overall effort to establish standards for the treatment of animals.

We must, therefore, state that our commitment—a religious commitment—to the principle of the human treatment of all animals, compels us to oppose present legislative efforts to pass an enforcement bill. We should like further to state that our organizations and the Orthodox Jewish community generally are prepared to lend their active participation in and support of any educational and other programs designed to solve the problem of humane treatment of animals in this country and through out the civilized world.

ADDITIONAL BACKGROUND MATERIAL

A

Dr. M. R. Clarkson, Deputy Administrator of the Agricultural Research Service, in his statement before the Subcommittee on Livestock and Feed Grains of the Committee on Agriculture, on April 2, 1957, asserted (see Hearing Testimony, p. 10) :

"No one has yet devised a method of slaughter that does not involve some pain. Yet food animals must be slaughtered and attention must be directed toward improvements in equipment and techniques, the adoption of more rapid and orderly methods of handling the animals just prior to slaughter, and of course, the avoidance of abuse.

This orderly approach in our view represents a method that is preferable to the enforcement of mandatory Federal legislation.

Judgement of a procedure or of a device to determine whether it is in fact "humane" when slaughtering livestock or poultry is extremely difficult, since no one has developed the basic criteria for evaluating animal reactions to stimuli that might cause pain or fright. Wide differences of opinion are usually expressed about the practicability as well as the humaneness of any new method proposed. Each such proposal must be carefully considered and finally tested in the plants to determine these issues. Much fundamental knowledge is lacking upon which to base an opinion of the acceptability of one method over another from the standpoint of humaneness. Research is needed to develop information which may shed light on this aspect of the problem."

His associate, Dr. A. R. Miller, Director of the Meat Inspection Division of the United States Department of Agriculture, informed Congress that the so-called humane slaughtering methods widely used in Europe were seriously questioned at a seminar held in November 1954, at Utrecht, Netherlands, in terms of the humaneness and practicality of the handling methods employed. "The Department of Agriculture," Dr. Miller declared, "does not have available methods it could recommend that meet the criteria of legislation." And, "as humane handling of animals becomes the subject of legislation, those affected by the law are entitled to know with some degree of certainty how they might comply with the law with reasonable confidence that they will accomplish the objective of the legislation."

B

Excerpts of additional testimony of Drs. Clarkson and Miller, appearing before the subcommittee meeting on April 12, 1957.

Chemical (CO₂) stunning, page 133

"The CO₂ method of immobilizing hogs before slaughter has been found practicable in several plants. Observations of its use appear to show advantages from the standpoint of labor requirements. But really, no one, to our knowledge, has authoritatively evaluated the effects of this procedure from the standpoint of humane treatment of the animal. As far as one can observe the animal entering and leaving the device, it appears acceptable. We hope it is humane, but we do not know. Research is needed to supply the answer.

(P. 135.) The point of the mandatory legislation is primarily that animals be rendered insensible by some method approved by the Secretary before they are bled, such as in the use of CO₂ gas involved in the rendering of the animals insensitve.

The matter of whether or not they are hung is also contained in those bills, but the primary point is to prescribe methods by Department action that would say how they are to be made insensible, and with the present stage of our knowledge, I don't see how we could say that subjection of an animal to CO₂ is any more humane than the use of the knife with its quick thrust.

Electrical stunning, page 133

The electrical method of stunning animals has been discussed extensively and has been widely advocated. Competent observers have expressed the opinion that the spasms accompanying the electrical stunning may not in all cases be immediately accompanied by unconsciousness. They have pointed out that while the desired result might accompany the use of a proper balance of voltage and time, in the practical application of the method by packinghouse workers this fine balance not always be acceptable.

In many cases of electrical stunning undesirable hemorrhaging occurs in the muscular portion of the carcass. From the standpoint of inspection the hemorrhaging that occurs in the carcass and internal organs causes confusion. These confusing marks can be distinguished from evidence of disease, but this takes additional time in each case to be sure. Our inspection procedures are geared to the high-speed operations of American plants and we must take the position that the intrusion of artificially induced situations which create uncertainties in the inspection system must be avoided.

NEW ORLEANS, LA., April 15, 1958.

Senator ALLEN ELLENDER,

Senate Office Building, Washington, D. C.

DEAR SENATOR: On February 4, 1958, the House of Representatives passed H. R. 8308 to establish the use of humane methods of slaughter as a policy of the United States. At that time the Rabbinical Council of America and the Union Orthodox Jewish Congregations of America presented to the House their analysis of the bill and pointed out the grave threat to religious ritual slaughter (*shechitah*) inherent in its enactment. Some of our fears were removed by amendments to the bill. The greater number of our fears, however, remain intact and other new ones have been added by the unfortunate legislative history which accompanied the passage of H. R. 8308.

While the act of ritual slaughter has been protected by amendment, it now seems that this is purely academic, for the possibility of preparing the animal for this ritual slaughter can be outlawed. Mr. Poage's point that the proposed amendments are not intended to deny the Department of Agriculture the right and power to prohibit any form of shackling and hoisting of conscious animals, implies this most bluntly (Congressional Record, Feb. 4, p. 1430). It is similarly underscored by a letter sent to Mr. Poage by those organizations which had originally written the letter printed on the above page of the Congressional Record, saying, "It was never the intention of the undersigned organizations to imply that shackling and hoisting per se are inhumane and, therefore, subject to being prohibited in all their forms by the Department of Agriculture." Obvi-

ously, this great confusion about the prior handling of animals in ritual slaughter is not something which can be permitted to stand as is without posing a very real threat to this most basic religious practice.

We therefore request your earnest consideration of the attached memorandum which analyzes the bill and its implications, and sets forth the reasons for our opposition to this legislation, despite our great concern for the proper and humane treatment of all animals.

Awaiting a favorable reply from you, I am,

Sincerely yours,

MOSES I. GOLDBERG,

Rabbi, Congregation A. A. A. Sfard (Agudath Achim Anshe Sfard).

NEW ORLEANS, LA., April 11, 1958.

Senator ALLEN ELLENDER,

Washington, D. C.

DEAR SENATOR ELLENDER: Reference is made to the Poage bill, H. R. 8308, which the House has passed. Please do all of the followers of Judaism a favor and vote against this bill, which is most objectionable to the Orthodox Jewish people. The performance of shehitah, which is religious-ritual slaughter, is very important to all of the Jewish people, and it is not believed by us that this bill incorporates the most humane methods of slaughter.

Most sincerely,

MATHEW J. GORDON.

NEW ORLEANS, LA., April 11, 1958.

Senator ALLEN ELLENDER,

Washington, D. C.

DEAR SENATOR: I implore of you, in the interest of justice and in the preservation of the right of all to practice their religion as guaranteed under the Constitution of the United States, that you vote against the Poage bill which recently passed the House, H. R. 8308.

The bill deals with the method of slaughter of animals. The persons responsible for the bill are apparently of the view that the most humane methods of slaughter are incorporated in the bill. This is not a fact.

The Rabbinical Council of America and the Union of Jewish Congregations of America have presented to the House their analysis of the bill and pointed out the grave threat to religious-ritual slaughter (shehitah) inherent in its enactment. While by amendment some of the objections were removed, many still remain intact and other new ones have been added, rendering the bill unacceptable religiously to the Orthodox followers of Judaism.

A copy of a statement of the Rabbinical Council of America and the Union of Orthodox Jewish Congregations of America is inclosed herewith, which explains in detail why this bill is objectionable.

Should the bill be enacted, a substantial portion of the religious structure of the Jewish Orthodox religion will not only have been violated but will have been affected. The performance of shehitah (slaughter of animals) is a vital and intricate part of the religion itself and does not permit violation or deviation.

Your cooperation in this bill's defeat will be greatly appreciated.

Assuring you of being your constituent and admirer, I remain,

Sincerely,

JULIUS KATZ,

Attorney and Counselor at Law.

NATIONAL LIVE STOCK PRODUCERS ASSOCIATION,

Chicago, Ill., April 24, 1958.

HON. ALLEN J. ELLENDER,

Chairman, Committee on Agriculture,

Senate Office Building, Washington, D. C.

DEAR SENATOR ELLENDER: We regret that we will be unable to attend the hearings on proposed legislation on humane slaughter (of livestock) scheduled for April 28 through 30. We respectfully request that this brief statement be filed on behalf of National Live Stock Producers Association and its 23 member live-

stock cooperative agencies which render marketing service on some 90 of the livestock markets of the country for over one-half million livestock producers.

These livestock producers know the value of humane treatment of livestock at all times and wish such treatment provided wherever possible. It is their chosen profession to care for and constantly try to improve the type and kind of livestock which is raised on our farms and ranches. They support research, seeking better sanitation, better rations, and ways to improve their livestock and livestock production.

These livestock producers wish to support Senate bill 1213, which we understand is before your committee at this time, and which provides for further research and study of this subject before definite action is taken by the Congress to determine by law the methods to be used by slaughterers in killing animals for their supply of raw materials.

We are opposed to Senate bill 1497. It is our belief the provisions of this bill go farther in restricting the methods to be used, and in limiting the purchases of meat and meat products for Government use than can be justified by the information available on this subject at this time.

We therefore respectfully urge the passage of Senate bill 1213, and the rejection of Senate bill 1497.

Very truly yours,

P. O. WILSON, *Secretary-Manager.*

STATEMENT FILED BY C. T. "TAD" SANDERS, EXECUTIVE SECRETARY, AMERICAN NATIONAL LIVESTOCK AUCTION ASSOCIATION, KANSAS CITY, Mo.

Mr. Chairman and Members of the Committee, the American National Livestock Auction Association is the national trade association of the livestock auction market industry, which is composed of approximately 2,350 independent livestock markets throughout the country. Each constitutes a public market for livestock in varying volume, where livestock are consigned for sale and sold by auction for the account of the consigning owners.

In 1957, these livestock auction markets sold approximately 34 million head of cattle, 16 million head of hogs, and 6 million head of sheep and lambs. A substantial percentage of this volume was sold for slaughter in the ordinary and usual channels to meatpackers.

These markets, in the performance of their stockyard and selling services, are the agents and representatives of their consignor livestock owners. Their objectives are to perform the best possible market service to those consignors and thereby obtain for them the best possible market for their livestock throughout the year.

These markets, for themselves, and for their consignors, are directly interested in the widest possible buying power for all classes of livestock. This includes the meatpacking industry, because of the volume they buy at these markets.

The association, therefore, is opposed to H. R. 8308 because it would detract from the effectiveness and buying power of the meatpacking industry at these markets through the imposition of impractical and unreasonable standards upon them in their processing operations.

The statement of congressional policy in H. R. 8308, "that the slaughtering of livestock and the handling of livestock in connection with slaughter shall be carried out only by humane methods," is commendable, and a desirable objective. To reach such objective, however, all other surrounding conditions and the practicality of procedure and progress toward such goal must be taken into consideration. We have confidence that this committee will follow such course.

Without going into the details of practicality, we beg to call attention to S. 1213, which this association feels properly expresses the best approach to accomplishment of the desired objective. We favor such bill over H. R. 8308.

In addition, we feel that the approach as incorporated in the provisions of S. 1213 would provide the means for proper consideration of the economic factors and resulting effects in progress toward the objective.

STATEMENT FILED BY THE HAREDIM BOARD OF ORTHODOX JEWS, LOS ANGELES, CALIF.

HONORABLE SIRs, in reference to the humane-slaughter bill pending now before your committee, we wish to state and emphasize most emphatically our opposition to that bill, or to any bill regulating the slaughtering of cattle or the treatment of cattle prior to slaughtering. Orthodox Jewry on the west coast, as well as all Jews of the orthodox Hebrew faith, are jointly of the opinion that a bill prescribing matters of slaughtering or treatment of animals prior to slaughtering would endanger their practice of Jewish dietary laws, or, subsequently, result in being denied kosher meat.

The Union of Orthodox Rabbis of the United States and Canada, the supreme ecclesiastical authority for orthodox Jewry in this country, will be represented at the hearing of your committee, and its representatives will testify in detail to the many dangerous seeds this bill carries for religious Jewish people. We are aware that the national Jewish religious organizations in this country and other orthodox rabbinical organizations, as well as congregations, will jointly or separately join the Union of Orthodox Rabbis in its determination to oppose this bill. We, therefore, do not deem it necessary to list separately the reasons for our objections. We wish, however, to bring to the attention of your committee the following:

Only orthodox Jews who believe that commandments of the Hebrew religion are divinely ordained and who observe Jewish dietary laws as part of such divine commandment are to be considered interested parties and entitled to voice their opinions in the matter connected with the method of slaughtering animals. Reform Jews, or those belonging to the conservative movement who do not consider the Jewish ritual of slaughter as divinely ordained, and consider themselves, therefore, not bound to observe such laws, are disinterested parties in the process of slaughtering the animals and have no right to speak on behalf of religious Jews, nor to agree on any compromises on the bill. The Reconstructionist magazine of February 21, 1958, a journal of a group of conservative Jews, has editorially officially admitted that the reform and conservative groups could compromise on the humane-slaughter bill because they do not believe in purely ritual regulations. If a legislation concerning orange-growers, for example, would be at stake, the people of California and Florida and other orange-growing States would be considered interested parties to be consulted, whereas the people of such States as Minnesota or the New England States would not be considered interested parties and their opinions or compromises would not be reckoned with. The same logical principle should prevail here.

For the millions of Jews who observe the ritual in accordance with the commandments of the orthodox Hebrew faith, this matter is vital, most sacred, and tolerates no compromises, as will be elaborately explained by the Union of Orthodox Rabbis of the United States and Canada on behalf of religious Jewry of this country.

Most respectfully yours,

SALOMON SCHACHTER,
President.

A. M. HILLMAN,
Honorary Secretary.

Rabbi CHAIM I. ETNER,
President, Beth-Din Ecclesiastical Court of Los Angeles.

PITTSBURGH, PA., February 27, 1958.

HON. JOSEPH S. CLARK,
United States Senate, Washington, D. C.

DEAR SENATOR CLARK: I have discussed with some of my associates what the Poage bill (H. R. 8308) might do to the livestock industry of Pennsylvania should the Senate pass it.

The purpose of the bill is to humanize the method of slaughtering livestock, but the regulations are such that the costs would be prohibitive. While the bill is impractical in its entirety, there are two features which, above all others, compel the conclusion that it is harmful to the livestock and meat industry.

1. Stunning of animals would have to be accomplished by a single blow. This, of course, refers to the slaughtering of cattle. But there is no method known by which 100 animals can be stunned with 100 blows.

2. Shackling or sticking would be prohibited, unless an animal was first rendered insensible. This refers to the slaughtering of hogs and sheep. But the United States Department of Agriculture has indicated that it is unable to certify a method which will comply with all of the bill's requirements.

Everyone agrees that humane treatment of animals is a desirable and necessary ideal. However, the first requirement of a law should be practicality. There is nothing practical about outlawing present slaughtering methods before there is reasonable assurance that satisfactory substitutes can and will be available. The inevitable result will be to slow down operations to the point where livestock marketings will be affected. Packers, individually and through the American Meat Institute, have made admitted progress in developing improved methods, a fact which makes it difficult to understand why Congress should think it necessary to enact legislation which could only have the effect of disrupting the program which the industry is promoting vigorously on a voluntary basis.

We would appreciate your giving this bill very thorough study. Representatives of our association would be glad to come to Washington to discuss it fully with you. And, in its present form, we would certainly urge you to vote against its passage.

Sincerely yours,

PENNSYLVANIA LIVESTOCK & ALLIED
INDUSTRIES ASSOCIATION, INC.,
LEON FALK, Jr., *President*.

Senator JOHNSTON. We have with us this morning a Congressman from my old native district in South Carolina, W. J. Bryan Dorn. We are glad to have you with us this morning, Congressman. You may proceed.

**STATEMENT OF HON. W. J. BRYAN DORN, REPRESENTATIVE IN
THE CONGRESS FROM THE THIRD CONGRESSIONAL DISTRICT OF
SOUTH CAROLINA**

Mr. DORN. Senator Johnston and Senator Ellender, I am, of course, pleased for this opportunity to be with you briefly. I want to compliment the distinguished chairman and the distinguished acting chairman on the splendid job that you have always done over here and the interest that you have in the agricultural economy of this country.

It was rather presumptuous on my part in coming here today. Far be it for me to come here and try to even suggest to this august body what to do about legislation. However, I led the fight in the House against the House bill, the bill that passed the House and is presently before this committee, among others.

There is one thing that stood out during debate in the House. That was the utter confusion concerning what is the most humane method to dispatch livestock.

I don't believe there are any two packers in this country, or, certainly, any farm organizations, who agree on what is the most humane method to slaughter cattle, hogs, poultry, and so on.

The bill that I introduced in the House and tried to have adopted as a substitute to the bill which passed the House is similar to S. 1213, introduced by Senator Watkins. This bill, S. 1213 which he has before your committee, calls for a further study in order to determine what is the most humane method.

I think we are embarking on dangerous ground when we pass a compulsory piece of legislation stating the method by which livestock should be slaughtered. It has far-reaching ramifications.

I do believe, if we are really interested in the humane slaughter, or the more humane methods of slaughter and transportation and handling of livestock, that a bill like Senator Watkins' or mine, which calls for the appointment of committees from humane societies, from agriculture, from the slaughtering industry and have them study for a period of less than 2 years and report to the Congress their findings on what is the most humane method, would look to me like the most proper way to proceed.

I might say that one of the principal arguments advanced before the House was that the House committee had received a number of letters from the good ladies of this country. I might say "organized ladies."

I live on a farm, Senator, as you well know, and have been engaged in agriculture all of my life. So has my wife. I might say that Mrs. Dorn is the mother of four young children. And when you or Senator Ellender or Senator Talmadge or some of you should come to her house for dinner, she might have to go out in the yard and kill a chicken.

We haven't heard from those ladies in America, those who have had to do things like that, those who live on the farm, those who buy and handle cattle as Mrs. Dorn does—and I am only using her as an example.

I might say that my mother, the mother of 10 children, who grew up on a farm and had to kill chickens and handle livestock, is bitterly opposed to this legislation, and so is Mrs. Dorn. And they are an example of the thousands, hundreds of thousands, if not millions, of women we have not heard from in this country. They don't have time to come here and belong to some organization pressuring this Congress. They are busy at home, tending to the children and tending to the livestock. They don't have time to come here and pressure this Congress into some ridiculous form of legislation which might well wreck, Mr. Chairman, the one great segment of the agricultural economy today where they are getting parity prices.

Cattle today are higher than they have been at any time in 6 years. The farmer is, today, in America, for the first time in many years, getting parity, and a little better, for cattle, for hogs, and for poultry and eggs.

We might well disturb his trend. How did this come about? There are many reasons. But one reason might possibly be this: The Defense Department has so manipulated its procurement program in certain areas as to help—and I know this to be a fact—to help in that upward trend of livestock prices. Here we are, today, considering a piece of legislation which passed the House of Representatives, which specifically mentions that no agency of the Federal Government—which includes the Defense Department—can procure livestock products unless they have been slaughtered by these specific methods named in that bill.

And it also mentions price supports. What about the school-lunch program, Senator Talmadge, and those other great programs that we are interested in? Could it be that that bill will affect the procurement under the school-lunch program? What about the farmers in South Carolina who sell in Augusta, Ga., across the river, who kill hogs and mix up their own sausage, or who sell chickens and eggs in

Augusta, or Charlotte, or Savannah, right on the line. Are they going to be subjected to harassment and intimidation by the Department of Agriculture through this compulsory legislation?

I might say, Mr. Chairman, that in the House debate I read into the record a telegram from the American Cattlemen's Association opposing this legislation; the American Farm Bureau, opposing this legislation; the National Grange; the Denver Cattlemen's Association; the South Carolina Livestock Association; the Oklahoma Livestock Association; and many other groups opposing this legislation and endorsing a bill similar to Senator Watkins' bill calling for a thorough study of the most humane method.

Mr. Chairman, I wonder how far afield we can go because of some letters we have received. I know how these letters often take place. It happened down at Clemson College, Senator Talmadge. One I recall, the president of the local association said she received a letter from New York. So they presented this proposition to this group of ladies and the "ayes" had it and it was so ordered and they sent me a resolution unanimously opposing a certain piece of legislation.

When I wrote the husbands of these ladies they were unanimously the other way, so they got together and concluded it was bad legislation.

Often that is the kind of campaign the House and Senate are subjected to. I say let's hear from the farm ladies of this country, the women who buy cattle and who work with chickens, hogs, and livestock and who possibly have to wring the neck of one if no other method is available in order to feed her little children and her family.

I might say that one-third of all the income farmers receive in America today is from livestock. And it is on the upgrade. Let's do nothing in this time of recession which will hamstring the small packer. And there are 2,500 of them in America who couldn't afford the \$40,000 or \$50,00 or whatever it cost to put in compulsory methods that this bill calls for. Let's do nothing during this recession that will injure the rising prices the farmer is getting for livestock and the great job that is being done by the local packer in competing with the great corporations of this country who could stand this bill very easily.

It wouldn't mean so much to them; but it would seriously affect the little packer who buys cattle at the local level and helps keep the prices up. Let's study this bill very carefully, Senator.

That is about all that I have to say. If I didn't feel very deeply about this legislation I wouldn't have taken the time to come over here.

Senator JOHNSTON. Are there any questions, Senator Ellender?

The CHAIRMAN. Congressman, is it not a fact that this bill is to apply only to products that are sold to the Government, the Federal Government?

Mr. DORN. You are talking about the House bill?

The CHAIRMAN. Yes.

Mr. DORN. Ostensibly that is what it does.

The CHAIRMAN. Why do you say "ostensibly"?

Mr. DORN. Because section 1 of the House bill refers not only to slaughter of livestock but also to the handling of livestock and this ties in interstate commerce. And then it mentions the price supports. I don't understand why that was injected into the House bill.

The CHAIRMAN. You mentioned cases where it may apply to housewives; would it?

Mr. DORN. The Senate bill S. 1497 sponsored by Senator Humphrey deals with interstate commerce. I just gather where a person lives close to the line, as many thousands do in this country—there are 48 States—it could conceivably, under the type of bureaucratic harassment American business has been subjected to lately, growing bureaucracy, I do think they could possibly step into that field and, say, some farmer who hauls some sausage that he killed on his own farm, or some eggs or chickens across the river to an adjoining State, might be hauled and charged with some crime under this bill. I think they could be sent to the penitentiary under the provisions of section 3 of this bill.

The CHAIRMAN. My reason for asking the question is that under the reports that we have obtained from the Department of Agriculture and the Defense Department, the bill is to apply not strictly, but almost solely to products that are sold to some Government agency.

That is the way I understand it. If it is different from that I would like the record to show it. I am sorry I wasn't here yesterday to hear the proponents of this bill. I had an illness in my family and couldn't be here.

Mr. DORN. Mr. Chairman, the way the bill is drawn that is what it says: Procurement, including the school lunch programs, military price supports, and so on. Also this important section one which includes handling and transportation.

Also I might remind the distinguished chairman that there are over 3,000 packers in America, and only 500 of whom, or less today, could come under this bill. That leaves 2,500 small packers. I am wondering if that wouldn't exclude Ballentine's at Greenville or some of the smaller packers from selling to Donaldson Airbase, Shaw Field, Fort Jackson, or Fort Gordon, across the river in Georgia.

The CHAIRMAN. I suppose it would.

Mr. DORN. I think that we should be very careful about passing legislation like that that might discriminate against your small packer.

In other words, give him time. Let's make a study and see how much it will cost him to go to this method.

Mr. Chairman, under the House bill it says that an animal should be rendered—shall be rendered insensible with one blow. I think that is the most ridiculous thing I have seen in print. You know, Senator, those Brahma cattle in South Georgia, you do well to get them into the pen much less render them insensible with one blow. And the same with the Brahmas in Florida and throughout the deep South. There is a difference in cattle.

I understand that with some of the methods in Europe that are used, like the electric shock, it takes much longer with one animal than with another. I certainly assume that while electricity is being put into an animal, if it takes 15 minutes to render him insensible, certainly he is going through much more pain than if he is slaughtered in some other way.

I might say that one of the great arguments advanced for this legislation is that Western Europe has done it; I spent 18 months in

Western Europe during the war and they wouldn't let me eat meat or drink milk in any of those western European countries. We can check with the Defense Department on that. Those orders came down. In the Pacific we weren't allowed to touch foreign meat or foreign milk from any of these countries that are held up as an example for America to follow today.

Mr. Chairman, I hate to take up so much time of the committee. I am appearing over here only because I was in this fight in the House and I know the alarm that the farm organizations, the Bureau and the Grange, and many others have over this type of legislation, and I am only requesting that this committee carefully study this situation and not be pressured by some organized group.

The good farm ladies of my district do not have time to come to Washington and leave their children and their livestock and chickens that need tending to and come up here and lobby against some specific compulsory bureaucratic dictatorial method of slaughter.

Senator JOHNSTON. I notice here that the Department of Agriculture wrote to the chairman on April 22, 1957, concerning this bill, and recommended the bill that was introduced by Senator Watkins.

Mr. DORN. Yes, sir. They are opposed to the compulsory bill in the Department of Agriculture. That is another good reason to be against, in my opinion, the compulsory provisions. If the Department of Agriculture is not in sympathy with it, and they say it cannot be enforced, and they themselves do not know what is the most humane method. It looks like it is a bad thing to then turn around and say that you have to enforce a compulsory method of slaughter.

Senator JOHNSTON. Let me see if I get you straight. You are not against humane killing of animals?

Mr. DORN. No, sir. Senator, I am glad you mentioned that. I own cattle today. My wife and I buy them in Georgia, Washington, Ga., and various auction barns in the fall. We run approximately a hundred head of cattle through the winter.

I might say, that anyone who is acquainted—and you can ask some of the good farm ladies if they ever get the time to leave their livestock and children and come here as witnesses to this committee, which I doubt if they will—you can ask them and they will tell you the truth about what is the most inhumane thing that is done to cattle. I might say the process by which a bull becomes a steer is the most inhumane thing connected with the whole livestock enterprise. Yet no one would suggest that we eat the meat from only bulls or stags. I might say that the process by which a boar becomes a barrow likewise no one would suggest to this country that no one not eat the meat of a boar. Certain things have to be done to livestock before they become edible. We have to do that on the farm.

Dehorning is certainly more inhumane than slaughtering a cow or a hog. Yet it is necessary. I have seen them bleed for 2 or 3 weeks from the head where they butt the trees and butt each other. That is certainly very painful.

Branding, I would say, Mr. Chairman, is much worse than slaughter. And any one of several different things.

If we are going to study this thing, let us go into it carefully and intelligently. Of course, we all are in favor of more humane methods of slaughter and more humane methods of handling. On our farm

and every farm I know of, and I am sure on Senator Talmadge's farm as well as the rest of us—yours, too, Senator—that is being practiced all over this country.

Senator THYE. Mr. Chairman and Congressman, there are those slaughterhouses that have put in methods of putting a hog to sleep. That is relatively easy because they come in on a belt and they are put to sleep and they go on.

I have been through many slaughter yards, killing pens, because we have many of them in the State of Minnesota—Swift, Armour, Cudahy, Hormel, and Wilson—and I have witnessed Hormel's method of putting hogs to sleep.

There is a study underway. Hormel, I believe, did some pioneering in that field. As to the cow or the steer, that is a little different. I have never seen those put to sleep. But the question is one that is not easily solved.

Mr. DORN. You are exactly right, Senator.

Senator THYE. It is not as easily solved as would be indicated from the language on page 3 of this bill:

After December 31, 1959, no agency or instrumentality of the United States shall contract for or procure any livestock products produced or processed by any slaughter or process which in any of its plants or in any plants of any slaughterer or processor with which it is affiliated, slaughters or handles in connection with the slaughter of livestock by any method other than the method designated and approved by the Secretary of Agriculture.

That is just one paragraph of this bill.

I am here this morning as a committee member trying to see what we can do. What can we accomplish as a committee to bring about the revolution that would be needed to meet every requirement of the humane type of slaughter and to meet the religious convictions of those that have strong beliefs as to the method and manner of slaughtering?

That is the purpose of the hearing. I hope that we can get the facts and the information that will permit us to intelligently draft some procedure that will bring about what we all desire, whether it is the house wife or the person consuming or the societies that are concerned about the method and the way of slaughtering animals.

Mr. DORN. I am sure you will, Senator, and that is one reason why I didn't hesitate to come over here and discuss this briefly with you gentlemen. You are exactly right.

Senator JOHNSTON. Do you have any questions, Senator?

Senator TALMADGE. No, sir.

Senator PROXMIRE. I have none.

Senator JOHNSTON. We are glad to have you come over, Congressman Dorn, and give us this information.

Mr. DORN. Thank you.

Senator JOHNSTON. Is there any other Congressman or Senator who would like to be heard at this time?

(No response.)

Senator JOHNSTON. The next witness is Chester Adams, general attorney, American Meat Institute, Chicago, Ill.

**STATEMENTS OF CHESTER ADAMS, GENERAL ATTORNEY, AND
C. H. ESHBAUGH, CONSULTANT, AMERICAN MEAT INSTITUTE,
CHICAGO, ILL.**

Mr. ADAMS. Mr. Chairman, if it is agreeable to the committee, Mr. Eshbaugh and I would like to appear together.

Mr. Chairman and members of the committee, my name is Chester Adams. I am general attorney for the American Meat Institute, trade association of the meatpacking industry. We have approximately 450 members who slaughter livestock or process meat. Our membership includes companies of all sizes, ranging from those with national distribution to those which sell locally. We have members in virtually every State.

Our comments on legislation to regulate slaughtering methods will be divided into two parts. I have with me Mr. C. H. Eshbaugh, who will discuss, from a practical standpoint, the slaughtering of livestock to provide human food. Following his presentation, I will have a few brief remarks concerning the specific bill which is before this committee.

Mr. Eshbaugh has been asked to testify because, in our opinion, he knows more about the subject of livestock slaughtering than any other single person we are acquainted with. He is at the present time a consultant for the American Meat Institute. I should add that he also is a consultant for the Remington Arms Co., though he is not testifying on behalf of that organization. Mr. Eshbaugh until his recent retirement spent all of his life in the meatpacking industry. He can tell you more specifically what his various responsibilities have been.

I simply would like to make one point: If there is any one person who is qualified to evaluate slaughtering methods from an operating standpoint, it is Mr. Eshbaugh. During the course of the various hearings which have been held on slaughtering methods, many persons have attempted to deal with a subject on which their information may have been incomplete. Mr. Eshbaugh does not claim to have all the answers to all phases of this problem. For example, he is not a physiologist, but I think that on the practical, operating side you will find that he can provide this committee with some very helpful information.

It is our expectation that his testimony will be helpful in two ways: First, it will provide you with an expert's evaluation of many different slaughtering methods and, second, I believe it will demonstrate that the industry has not been backward about adopting new methods as they are developed and shown to be practical.

With your permission, I would like to introduce Mr. C. H. Eshbaugh.

Senator JOHNSTON. We are glad to have you with us, Mr. Eshbaugh.

Mr. ESHBAUGH. Mr. Chairman and members of the committee, my name is C. H. Eshbaugh. For 48 years I have worked for Swift & Co., until my retirement last September. My service began in the research laboratories from which, 9 years later, I was transferred to the operating department. My plant experience has been in beef,

lamb, veal, pork, and byproducts, then assistant superintendent of the Chicago plant. I was transferred to the office of the general superintendent, and later appointed assistant general superintendent of all meatpacking divisions of the business, with jurisdiction over beef, lamb, veal, pork, and byproduct operations.

During this service I have made four visits to European countries where I have visited meatpacking and other plants in England, Ireland, France, Germany, and Holland. My last visit was in 1953.

I have served as chairman of the special committee on improved methods of slaughter of the American Meat Institute for 6 years, and as cochairman of the joint committee of the American Meat Institute and the American Humane Association. Dr. M. R. Clarkson, of the Department of Agriculture, or his representative, has attended meetings as adviser to this joint committee. Since my retirement I am a consultant to the American Meat Institute and to the Remington Arms Co. on methods of stunning food animals. I am here as a representative of the American Meat Institute.

The committee on improved methods of slaughter of the American Meat Institute has been working with a committee of the American Humane Association to improve methods of handling food animals in meatpacking plants and in particular methods used for rendering them unconscious before bleeding.

First work was on a method which could be applied readily to stunning of cattle as an improvement on the concussion method then in general use where a blow on the head was delivered by a hammer. A stunning tool has been developed which has given quite satisfactory results and can be used on cattle in most plants without any change in equipment or handling of animals. This tool was originally proposed by Mr. John Macfarlane, of the Massachusetts Society for the Prevention of Cruelty to Animals, who is a member of the joint committee of the American Meat Institute and the American Humane Association.

It was developed by the Remington Arms Co. working in conjunction with the joint committee of the American Meat Institute and the American Humane Association on plants of members of the American Meat Institute. This stunning tool is now in regular use in about 200 plants. This method has been used in tests on calves, lambs, and hogs, and these tests are still in progress. It is now in regular use on lambs and hogs in one plant. It is being used on large calves in a number of plants.

Mr. Macfarlane showed your committee this tool yesterday. This is a duplicate of what he showed you. Contact of this trigger rod with the animal's head discharges the cartridge, which we know as the powerload, forcing this out and striking the animal's head. This is the tool as originally devised for use on cattle.

Senator JOHNSTON. What is the cost of that?

Mr. ESHBAUGH. Two hundred and forty dollars.

Senator THYE. What explosives are used? Is it a powder?

Mr. ESHBAUGH. It is a powder, the same as in the .22 caliber blank cartridge. Since it is not a cartridge in the usual sense, it is known to the industry as a power load. The last price list of the Remington people quoted model 411-B, of which this is one—

Senator THYE. Doctor, what is the history of accidents with that?

Mr. ESHBAUGH. There have been very, very few.

Senator THYE. You say "very, very few." What is the accident history?

Mr. ESHBAUGH. I know of one case of a man who had been forbidden to use the tool because he was not being trained, in its very early history. His idea of its use was to hold it in this way: When being held in this position it is not easy to absorb the recoil which is necessary in this arm. He was struck upon the head. It was a minor accident. It was an accident.

I know of another case where a man—this ejects the cartridge [indicating]. The ejector here throws the empty shell out. This shaft should be pushed back as this is opened. This man did not push it back. He put in a new cartridge, closed it, and then he attempted to push it back, and he released the trigger. This struck his hand. There was no serious injury to his hand, although he could not use it for the ordinary purposes to which it was accustomed for several weeks thereafter.

Senator THYE. Will it fracture the skull of the animal?

Mr. ESHBAUGH. There is no simple answer. It will crack the skull of young animals or of many animals if the normal load is used. If a slightly lower power load is used, it will not. But there is fracture, there is cracking of the skull of the animal itself with the hammer, just as there is with this tool.

Senator THYE. What I want to know is the power of that weapon. It could be a weapon. If a man slipped, or if a man accidentally were shoved, or something, and he swung it around and it hit him on his limbs or it hit someone near him, it would be a weapon in that sense.

That is why I want to know the force of it. I know it would have to be a force or it wouldn't stun the animal. I want some information as to the accidental happenings that might either fracture a limb or cause other injuries. I want that for the record.

Senator JOHNSTON. What about a 3-year-old steer? Would it knock it down?

Mr. ESHBAUGH. Yes, sir; if the blow is properly placed.

I would like to answer the Senator's question. You have brought out a point which I should have mentioned. There is on this tool—and this is the short handle tool used for small stock rather than cattle, and it has a penetrating bolt instead of the mushroom head type—there is a safety on this tool. When this is depressed it puts the trigger rod in position to fire. If not depressed it will not fire, no matter where it will touch. Therefore, the man who is using the tool handles it in this way, and he need not swing it. He need only drop it a matter of 4 to 6 inches and it will fire.

Senator JOHNSTON. When you press it down, is that when the trigger is released?

Mr. ESHBAUGH. That is correct.

Senator JOHNSTON. If a man had it in his hand and he started to struggle naturally he would grab it and press down on it?

Mr. ESHBAUGH. Normally a man familiar with the tool will not.

Senator JOHNSTON. I know. But with an animal, if he starts scrambling around, he is liable to grab the trigger without realizing what he was doing.

Mr. ESHBAUGH. I know of no such case.

Senator JOHNSTON. If you were messing with animals and got in a close place, you might grab that.

Mr. ESHBAUGH. I have seen many people using it. I have been in many shackling pens myself in the stunning of animals and shackling, and I have seen no man who will not handle it in this way, as a matter of fact (illustrating), unless he presses this, the instrument will not be discharged.

Senator JOHNSTON. Have you had anybody injured with an animal after you have used this?

Mr. ESHBAUGH. No, sir; I know of no such case.

Senator JOHNSTON. Or tried to use it?

Mr. ESHBAUGH. I know of no such case.

The CHAIRMAN. Must he stand among the animals in order to be able to use it?

Senator THYE. He would be on a walk above the alleyway. When they are swinging the big sledge to knock an animal down—

The CHAIRMAN. I saw them do that.

Senator THYE. They are on a walk, and I presume that is what this is used for.

Mr. ESHBAUGH. Among cattle, he is not with them.

Senator JOHNSTON. That is true in the big slaughter houses but in the small places in the country you are not prepared with all that; are you?

Mr. ESHBAUGH. The animal's head is approximately this high. In even a small packer's plant—and I will say a small packer is 5 or 10 an hour, or maybe even less—there is some provision for the man to be above the head of the animal because of the ease, the increased ease of striking the animals' heads. To strike from the floor is very difficult. If that is done, another type is used.

Mrs. Stevens has shown you the Schermer. There are 3 types of this, 1 in addition to the 2 which she showed. There is a much smaller one used in Europe on the farms, we will say, for a few animals per year.

The Cash pistol: Mr. Macfarlane showed you another type of English pistol. This is the Cash, which is the most used pistol in this country. That can be used in this way (illustrating), but it is still most inconvenient in position to handle.

So that, as far as I know, practically every plant in the country puts the stunner, the man, above the animal so that he can reach down.

Have I answered your question, sir?

Senator JOHNSTON. Yes.

Mr. ESHBAUGH. The question was asked as to the price of the stunner. The last quotation of Remington is \$240. The powerload cartridges in lots of 10,000 are \$2.70 per hundred. In lots of 10,000 to 50,000, they are \$2.33 per hundred.

The CHAIRMAN. On House bill H. R. 8308, section 2 (a), I read this language:

In the case of cattle, calves, horses, mules, sheep, swine, and other livestock, all animals are rendered insensible to pain by a single blow or gunshot or electrical, chemical, or other means that is rapid and effective before being shackled, hoisted, thrown, cast, or cut.

Is it your opinion that the use of either of these instruments that you have just described will comply with that requirement of the proposed law that I have just read?

Mr. ESHBAUGH. It is my understanding of your question that the reference may be to one blow.

The CHAIRMAN. Section 2 (a) provides, as I understand it, for certain language which I would interpret to mean that if a method can be devised along that line, it would be in compliance with the law. The question I am asking you is, would these instruments that you have just described be of sufficient force to, by a single blow or gun shot, be rapid enough and effective enough to meet the requirements written in the bill?

Mr. ESHBAUGH. I will answer in this way: In the work done to date in the stunning of animals in both plant operations and in test work, it has not been possible to stun all animals with one blow, whether penetrating or nonpenetrating tools are used. This was true even when great care was taken in placement of the blow and when heavier than usual power loads were used.

In regular operation there will also be an occasional miss due to an unanticipated move of an animal's head or failure in judgment of the operator for placement of the blow for a particular animal.

Some time is required to train new operators in the care of stunning tools and in their proper use. During this period there will be more than the usual number of animals requiring more than one blow.

Senator JOHNSTON. You have to learn just where to hit the animal's head to bring about the effect, too; isn't that true?

Mr. ESHBAUGH. That is true.

Senator JOHNSTON. There is a very small place in the animal's head. If you hit somewhere else of course it doesn't bring about the effect.

Mr. ESHBAUGH. An accuracy within, offhand, plus or minus one inch, is required, and it sometimes becomes difficult.

Senator JOHNSTON. I killed animals a lot, but I kill them with a rifle. If it happens to move its head and you hit the least bit to the right or left, or high or low, you will not kill the animal and it won't drop immediately.

Mr. ESHBAUGH. That is correct.

The CHAIRMAN. Would that be the cause of the discrepancy that you have just read, that as to some animals it would meet with the requirement and as to others it won't if the instrument isn't applied as it should be?

Mr. ESHBAUGH. That is correct, and that spot will vary somewhat with the age of the animal, on which the thickness of the bone of its skull depends, and upon dehorning of that particular animal.

If dehorning is when young, the skull will likely be—at a young age—the skull will likely be thin. If it is done later, the skull is rather heavy. At that time it is necessary to drop the spot perhaps an inch.

The CHAIRMAN. You have stated that you had 40 years of experience?

Mr. ESHBAUGH. Right.

The CHAIRMAN. Do you know of any known methods by which section 2-A of the bill can be met?

Mr. ESHBAUGH. I do not.

The CHAIRMAN. Do you know of any instruments that can be used to apply to all animals?

Mr. ESHBAUGH. From the standpoint of a single blow, I do not.

The CHAIRMAN. How about the rest of it, the other proposed methods? Can you give us some idea of the other methods proposed?

Senator JOHNSTON. Isn't it also true, since you are talking about the spot, on a swine, hog, or on a cow or different animal, that the spot varies on the head as to where you have to hit?

Mr. ESHBAUGH. That is correct.

Senator JOHNSTON. The people who do the killing become acquainted with that exact spot of the various animals.

Mr. ESHBAUGH. Test work has been done and is still being done on the use of the stunning instruments, whether the penetrating or the nonpenetrating type. For work on lambs, either is satisfactory.

The nonpenetrating type gives quite satisfactory results and does not result in the loss of the brain as food. There is some bleeding always in the use of this type of tool (mushroom head) which may result in the loss of some brains, depending upon the exact spot of application of the blow, which again varies with the animal, and on lambs with the growth of wool on its head.

In very old ewes, for example, where there is a heavy growth of wool, it sometimes is advisable to use a penetrating bolt, and this particular type in the Remington tool is used, or the Schermer or the Cash, or there is a Remington tool recently devised to be held in the hand to meet the ideas of people who do not wish a tool with a handle.

Any of these penetrating tools will cause the loss of the brain. The mushroom knob will save the brain if there is not excessive bleeding. It is reasonably satisfactory at this time.

Calves, heavy calves can be handled practically in the same way as cattle. They refer to calves as 300 to 350 pounds or more. Very light calves, and milk-type calves, must be struck on the back of the head, and that must still be developed still further in order to find the best spot and the lightest load which can be used.

A considerable amount of work has been done on hogs. There is one plant now using the Remington stunner and the mushroom knob on hogs. If it is placed high upon the head, perhaps an inch and a half above the spot considered from an old-fashioned cross between the ears and the hides for cattle—it gives a fairly satisfactory result.

There is a fatty layer between the skin and the bone of the skull and also at the back of the neck which absorbs the blow and therefore a force is required approximating that for cattle whether penetrating or nonpenetrating stunning methods are used.

Because of the fatty tissue directly under the skin on the head there is more bruising and some trimming is required. Bruising, as used in that particular sentence, refers to the bruise that occurs at the time of impact. Stunning of an animal, if satisfactorily performed, results in what I would call immediate unconsciousness to pain. That is the opinion of others as well as myself.

I do not pose as an authority on physiology or on what is a humane method, although I have seen a great deal of such stunning. The

animals drop immediately. With hogs, because of the fatty tissue under the skin and above the bone, there is some bruising. That must be trimmed to be edible if it is more than just a very slight color. This trimming amounts to 4 ounces per head for nonpenetrator and 2 ounces for penetrator stunning.

A larger diameter mushroom type than for cattle will stun satisfactorily but accurate placement of the blow is most important. This is even more important than on other livestock because of the fatty layer below. A very fat hog will have a heavier layer, and the placement spot must be lower than for a lighter weight hog. A penetrator will stun satisfactory, but there is often more difficulty in removal of the penetrator if the longer shafts are used. To meet this condition Remington has devised what is known as the combination knob.

The advantage of the combination knob is that it has a penetrator, and a flat surface on the knob after penetration of the skull which contacts the head, and you have the combined advantage of a penetrating shaft and a stunning blow applied to the skull itself.

For very heavy hogs this type, or the penetrating type, are often required. I have seen hogs weighing 700 pounds put down very satisfactorily with 2 blows of the penetrating-type stunning tool; 350-pound hogs will go down with 1 blow of the penetrating-type tool. The brain, of course, is lost. With that type hog there will be more than 4 ounces of trimming. It may be as much as six. But it can be satisfactorily trimmed.

The penetrating type will always lose the brain and there will be some trimming around the opening caused by the shaft itself into the head.

The CHAIRMAN. Reverting to my original question, you have had 40 years experience. The House bill we are now considering states: "Either of the following two methods of slaughtering and handling are hereby found to be humane" and I asked you about the single blow. You say that that doesn't apply to all animals similarly, and therefore I would judge that that method would not meet the requirements.

Mr. ESHBAUGH. The requirements of a single blow; that is correct.

The CHAIRMAN. What percentage of the animals in your opinion would not be rendered insensible to pain by a single blow? Take cattle or sheep or calves.

Mr. ESHBAUGH. I can answer you best in this way: There are records of the number of powerloads required for the stunning of animals. They will include a few which are lost by carelessness, if you will, on the part of the stunning operator; occasionally one will not discharge. Those counts are accurate. For cattle there will be about 110 powerloads required for 100 animals. That means that somewhere between 5 and 10 additional blows are required for each 100 animals.

There will be an occasional animal which, because of poor judgment on the part of the stunning operator, or because of a very heavy head, perhaps more than two blows will be required. But as a general statement perhaps 5 animals out of 100 will require more than 1 blow.

The CHAIRMAN. I presume that would be considered humane, would it not, if you miss only 4 or 5 out of 100? You certainly couldn't be perfect.

Mr. ESHBAUGH. I do not consider myself an authority on what is humane, sir. I may have opinions, but I do not believe that I am an authority.

The CHAIRMAN. I am just taking this bill as an example. I don't know anything about it myself. I am trying to learn as much as I can.

What about the use of electrical shock; what is the percentage of effectiveness of this method of stunning animals or rendering them insensible, and complying with section 2 (a) of the bill we are now considering?

Mr. ESHBAUGH. Electrical shock—and I have had no recent experience in this country although I was familiar in a general way with the work done in the late twenties—I have seen it in European plants—if the current is kept upon the animal long enough, the animal will go down and will not come up. I do not know the number which will come up because the animal has not been sufficiently stunned by electrical current. That will depend upon the skill of the operator, the care with which he has been trained, the voltage used, the time of application, and so on.

The CHAIRMAN. And the size of the animal?

Mr. ESHBAUGH. Yes, the size of the animal will determine the voltage and the time.

The CHAIRMAN. Has a study been made as to the effect on the meat product after it is prepared for human consumption? Is there any adverse effect from the use of the electrical current?

Mr. ESHBAUGH. From the standpoint of ease of inspection by the meat service, a considerable amount of work has been done which has been reported by previous witnesses before this committee. There is a slight hemorrhaging of the lungs which is difficult to differentiate from disease, and for that reason the meat inspection service has not agreed to the use of electric shock in animals slaughtered at federally inspected plants.

There are opinions on the question of whether or not that meat is entirely edible in every sense. I have no reason to believe that it is not.

Senator THYE. Doctor, you would have to go to a laboratory and run a complete analysis if you were in doubt as to whether a lung were diseased or if the liver were diseased or whether it had been affected by the shock of the electricity; is that true?

Mr. ESHBAUGH. The meat inspection service can answer much more authoritatively than I. I know that in tests made years ago in this country that lungs were taken from the plants in which the stunning was done and checked at the meat-inspection laboratories before there was decision.

The CHAIRMAN. How about the use of chemicals; have you had experience with that? Those are methods that are found to be humane. Will you tell us about any experience that you have had with the use of chemicals?

Mr. ESHBAUGH. In my service with Swift there was no plant of that company which used carbon dioxide. I have seen carbon dioxide used on hogs in two large plants of another packer. It is very effective. I will reserve comment on humaneness. I don't believe I am competent to answer.

The difficulty of handling that, and speaking not of the expense but of the difficulty, that with which I am most experienced and spent most

of my life on—the difficulty of handling any such system is in the lining up of the hogs to enter the immobilization chamber. It can be done, there is no question of it; it is being done.

They must go in comparatively in single file. Actually in most large installations it would be in parallel on two conveyors. The difficulty is in getting the hogs in line to enter the immobilization chamber.

The CHAIRMAN. The marching paths to their death.

Senator THYE. I stood and watched at Hormel's, and they were moving through very orderly like. They were in a narrow chute and went on the apron and at the other end they came out with the appearance of being asleep.

Mr. ESHBAUGH. They were unconscious.

Senator THYE. They had no difficulty in either getting them on to the apron or getting them through. That was a very rapid and orderly manner.

The CHAIRMAN. Did they keep on walking?

Senator THYE. They walk in a narrow chute until they come to the apron on which they go into the gas chamber. The minute they get there apparently they are momentarily gassed and they fall on to the conveyor and the conveyor brings them out at the other end.

I stood at the Hormel plant and watched the hogs go through the chute. I have never seen cattle go through the chute, but I have seen hogs go through. It was done in a very fast and orderly manner. There was no difficulty in bringing the pig to the chutes.

The CHAIRMAN. Does Hormel try to use chemicals to stun cattle?

Senator THYE. That I could not answer, what they have done in recent years. This was several years ago that I watched the gassing of the hogs.

The CHAIRMAN. Have you any idea of the effect on the meat by using chemicals as described?

Mr. ESHBAUGH. I have no reason to believe that there is any objectionable result from the use of carbon dioxide only, in the immobilization of hogs.

The CHAIRMAN. With your 40 years' experience, suppose you were the Secretary of Agriculture—and I understand that he is going to have to administer this act, try to comply with it—if you were Secretary of Agriculture, with your 40 years' experience, could you find some method of complying with section 2 as written in the bill?

Mr. ESHBAUGH. I would be very much disturbed to find such a method.

The CHAIRMAN. You couldn't do it?

Mr. ESHBAUGH. I don't know how.

The CHAIRMAN. You wouldn't know how?

Mr. ESHBAUGH. Right.

The CHAIRMAN. Thank you.

Senator JOHNSON. Are there any other questions?

(No response.)

I don't want to rush you but we have several additional witnesses.

The CHAIRMAN. Doctor, there was one more question that I overlooked asking, about section 2-B of the bill, that it is—

found to be humane in slaughtering in accordance with the ritual requirements of the Jewish faith or any other religious faith that prescribes the method of

slaughter whereby the animal suffers loss of consciousness by anemia of the brain caused by the simultaneous and instantaneous severance of the carotid arteries with a sharp instrument.

What comment have you to make as to that method in complying with the rendering of the animal insensible to pain?

Mr. ESHBAUGH. It is my understanding that this law, as others which have been proposed, makes an exception to any method of slaughter or of rendering unconscious before slaughter where a particular method of handling is required to meet rites of the Jewish or any other faith, such as Moslem. I would not consider myself an authority to say whether or not such a method was humane or whether or not there should be—

The CHAIRMAN. Would it be humane?

That is the question I am asking you. In other words, this exception is made to comply with some of the opponents of this bill, as I understand it. In your opinion, would that meet the method of slaughtering and handling found to be humane, according to this bill?

Mr. ESHBAUGH. I would not consider myself competent to answer your question, sir.

The CHAIRMAN. I thought you were an expert.

Mr. ESHBAUGH. Not on kosher slaughtering.

The CHAIRMAN. That is why I asked you the question.

Mr. ESHBAUGH. Mr. Chairman, may I make another point or two?

Senator JOHNSON. Proceed.

Mr. ESHBAUGH. Turning to hogs: There is some bleeding into the brain with nonpenetrator stunning and loss of the brain for food if the penetrator is used. In addition there is occasional slight hemorrhage in the diaphragm and abdominal wall, the cause of which is not well understood. The abdominal wall is that part of the carcass known to the packer as the belly and which is used for bacon. A slight hemorrhage in bacon is certainly objectionable in that it shows a dark spot. While it is believed to be due to delay of several minutes between stunning and bleeding, it has been shown that it does not always occur when there is unusual delay and it sometimes occurs when there is no delay. Its possible seriousness requires thorough investigation to determine its cause and means for its prevention.

Senator JOHNSON. In other words, you have to bleed the animal shortly afterward if the blood does not circulate and get out; is that true?

Mr. ESHBAUGH. I would hesitate to speak as an authority or physiologist. But it is generally conceded that when electric shock, carbon dioxide or a stunning blow is applied, there is a sudden increase in blood pressure which probably results in the rupture of very small blood vessels. It is likely that that occurs in this case. It is possible that the rupture of such vessels will not show if the blood pressure is relieved by bleeding within a short time, probably not to exceed 2 minutes. It is not normal procedure to hold cattle in an average plant for 2 minutes. Thirty seconds is a more likely time.

Senator JOHNSON. That is caused from the animal becoming cold: The warmth of the blood circulates, but when it gets cold it does not; it doesn't drain from the body.

Mr. ESHBAUGH. If the animal is stuck, the blood pressure is immediately relieved and any leakage of the vessels would not then leak into the meat itself.

That has been my explanation in my own mind.

The CHAIRMAN. Isn't it really the stoppage of the heart? If you stop the pump the blood will stop circulating.

Mr. ESHBAUGH. It will certainly bleed less if the heart action is stopped.

There is a new stunning tool which is being worked upon, powered by compressed air. This has been tried on a small basis and it is expected will soon be ready for large-scale tests.

This is a tool manufactured by the Thor Power Tool Co. of Chicago. It has a penetrating bolt which is forced out by air at 200 pounds pressure delivered into the base of the handle.

This is a heavy tool. It is expected that the final instrument will be considerably lighter. It will be handled in this way [indicating] and the penetrating shaft would be released by contact with the animal's head. It would extend itself approximately $2\frac{1}{2}$ inches and then withdraw.

A second contact would result in another extension of this tool. This is, I repeat, still a test instrument. Small-scale tests have been made. It is hoped that within a very short time this can be tried in large packer plants.

The CHAIRMAN. That will require a compressor for operation?

Mr. ESHBAUGH. Yes, sir.

The CHAIRMAN. What is the cost of that instrument?

Mr. ESHBAUGH. I have heard no price. It is still a test tool and I doubt if any price has yet been set up.

During the late 1920's work of the American Meat Institute was concentrated on electrical stunning methods. During the war years all effort was directed toward war needs. In recent years consideration has been given to a number of methods for rendering animals unconscious before bleeding and concussion stunning appeared to offer more promise for early accomplishment.

Developments in the stunning field have been greatest in the last 2 years, and this is a method applicable to very small- and medium-sized plants as well as to the large plants, with minimum new investment cost.

There is more work to be done in its application to small calves, lambs, and hogs, but this work is now under way in plants of the American Meat Institute.

Mr. ADAMS. Mr. Eshbaugh told you about the various methods of slaughtering which are being used and tried out. I would like to comment briefly on S. 1497, the bill presently before this committee.

The CHAIRMAN. I wish you would also comment on H. R. 8308.

Mr. ADAMS. This includes that bill. We agree with the statement of objectives found in section 1. We believe in slaughtering and handling of livestock by humane methods. I think that nearly everyone favors humaneness. I don't know of anyone who doesn't.

One difficulty is that what is and what is not humane may not be easily determined. I do not say this frivolously or out of any desire to use obstructionist tactics. On the contrary, I believe this is one of the principal points to be considered. I do not know what is humane, and

among those who might be expected to be best qualified in this field there are serious differences of opinion.

I have here a copy of a report recently issued by the Wisconsin State Department of Agriculture concerning a survey which it made of slaughtering methods used in that State. To emphasize the point I am making I would like to quote 2 or 3 sentences from this report. The first has to do with electrical stunning. The supporters of legislation to regulate slaughtering methods have been quite vocal in their endorsement of electrical stunning. Here is what the Wisconsin report says:

The university veterinary science department feels that electrical stunning, if applied correctly, does an adequate job, however, may not be as humane as some people believe.

The report in another place says:

There is some evidence that this method adversely affects the quality of the meat.

However, the point I want to illustrate is that the determination of humaneness is not a simple matter. In discussing what is described as the shackling-and-bleeding method of slaughter, the Wisconsin report states:

According to the University of Wisconsin veterinary science department, bleeding is a very painless way of slaughtering.

It concludes:

In general it would appear that shackling and bleeding under the present procedure is satisfactory in slaughtering swine, calves, sheep, and poultry.

Please understand that I am not advocating this method nor any other method. What I am saying is that the people who might be expected to know most about the subject are not in agreement, and for that reason the American Meat Institute cannot support legislation such as the bill before this committee. I am referring to S. 1497 and H. R. 8308.

I would like to submit for inclusion in the record an official copy of the report made by the Wisconsin Department of Agriculture.

(The report is as follows:)

AFFIDAVIT

I, D. N. McDowell, director of the State Department of Agriculture of the State of Wisconsin, hereby certify that the attached mimeographed copy of a report entitled "Humane Survey on Slaughter Methods" is a true copy of the report submitted to the 1957 Wisconsin Legislature pursuant to its Joint Resolution No. 75A.

Dated at Madison, Wis., this 24th day of April 1958.

[SEAL]

D. N. McDOWELL,

Director, State Department of Agriculture of the State of Wisconsin.

HUMANE SURVEY ON SLAUGHTER METHODS BY WISCONSIN DEPARTMENT OF AGRICULTURE

To the honorable the Legislature:

Joint Resolution No. 75A, which was adopted by the 1957 Legislature, requested the State department of agriculture to study, from the humane standpoint, present methods of slaughtering livestock and poultry in Wisconsin and report its findings to the legislature.

Field representatives of the division of animal health, State department of agriculture, examined the slaughtering methods at 160 slaughtering establishments in Wisconsin. The survey included approximately 25 percent of the

established slaughtering locations in the State. Selection was made on the basis of size and geographical location so that a representative sampling of methods of slaughtering throughout the State would be obtained.

We are herewith submitting information on killing methods used by slaughtering establishments in Wisconsin and our conclusion with respect thereto.

Respectfully,

STATE DEPARTMENT OF AGRICULTURE,
D. N. McDOWELL, *Director*.

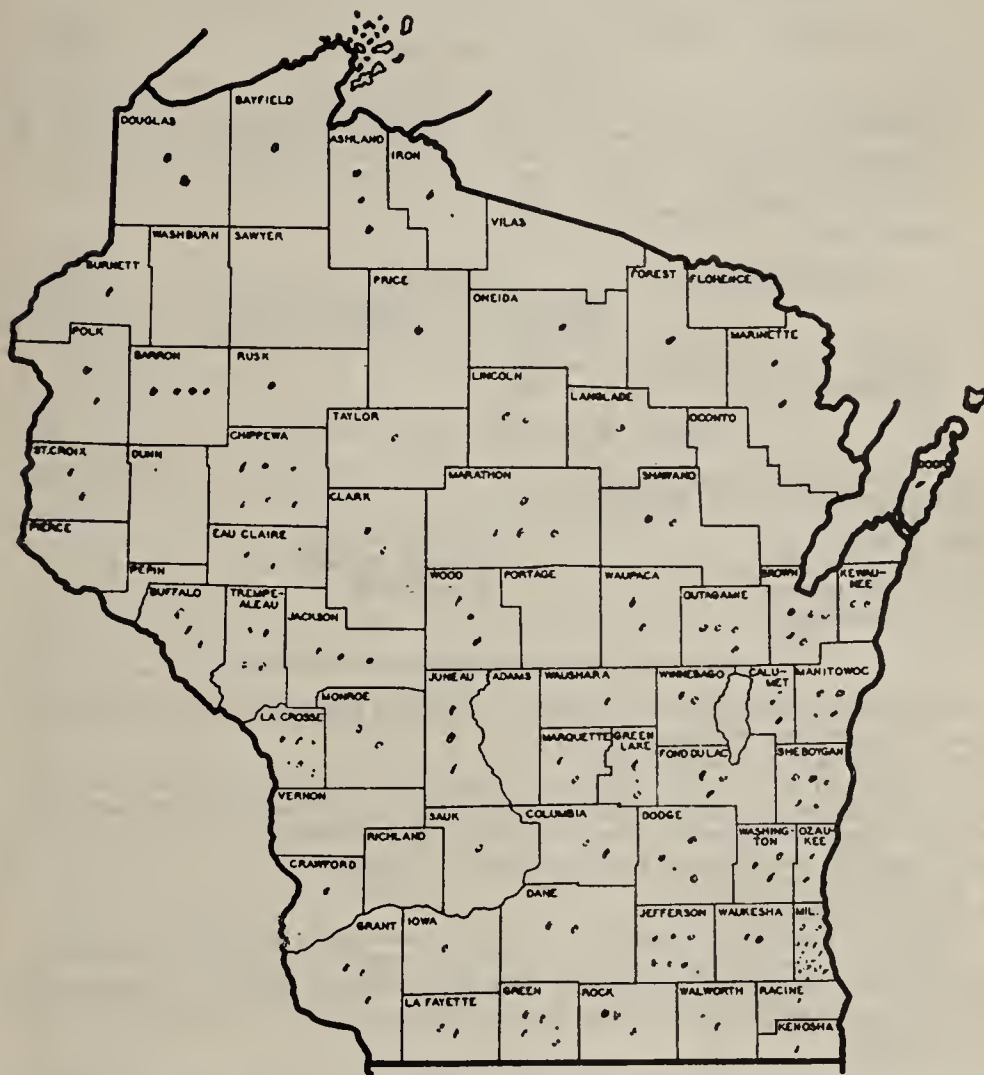


CHART I.—*Number and species of animals slaughtered*

[160 slaughtering establishments contacted]

	Total animals ¹ received per year	Number plants	Average handled per year
Cattle.....	925, 124	142	6, 514. 9
Calves.....	1, 181, 762	119	9, 930. 8
Swine.....	3, 093, 896	118	26, 261. 8
Sheep.....	89, 690	56	1, 601. 6
Poultry.....	15, 577, 746	40	379, 945

¹ Based on estimates of plant operators.

Slaughtering methods used in plants contacted

CHART II. CATTLE

Method:	Number of plants
Captive bolt-----	5
Shooting-----	116
Stunning hammer-----	33
Kosher kill-----	3

CHART III. CALVES

Method:	Number of plants
Captive bolt-----	1
Shooting-----	19
Stunning hammer-----	75
Shackle and bleed-----	23
Electric stunning-----	1
Kosher kill-----	1

CHART IV. SWINE

Method:	Number of plants
Captive bolt-----	1
Shooting-----	52

CHART IV. SWINE—continued

Method—Continued	Number of plants
Stunning hammer-----	19
Shackle and bleed-----	49
Electric stunning-----	1

CHART V. SHEEP

Method:	Number of plants
Captive bolt-----	0
Shooting-----	4
Stunning hammer-----	20
Shackle and bleed-----	29
Electric stunning-----	1

CHART VI. POULTRY

Method:	Number of plants
Shackle and bleed-----	38
Electric stunning-----	2

METHODS OF SLAUGHTERING LIVESTOCK

On the following pages are outlined the various methods used for slaughtering livestock and poultry in Wisconsin.

Captive bolt.
Shooting (rifle .22 long).
Stunning hammer.
Shackle and bleed.

Electric shock.
Carbon dioxide.
Kosher kill.

CAPTIVE BOLT METHOD OF STUNNING LIVESTOCK

There are various types of captive-bolt stunners manufactured at the present time. Captive-bolt stunners operate on the principle of a cartridge firing a hammer which stuns the animal.

This method of stunning livestock is used at the present time in some Wisconsin slaughtering establishments. On picture 1 in the following pages you will see the Remington humane stunner. This stunner retails for \$220 and cartridges can be purchased for about \$5 per hundred.

The Kerner Schutzmache, caliber 9 millimeter, humane stunner used in Europe is displayed on picture 2.

Picture 3 shows an animal after being stunned by this humane stunner.

Plants using some of these types of stunners are well satisfied and felt that they were a definite improvement over the stunning hammer. Other plants felt that additional work was still necessary in perfecting an acceptable captive-bolt stunner.

SHOOTING

A 22-gage rifle using a long cartridge is the usual weapon used in shooting livestock. In picture 1 you will see part of such a weapon. The rifle is usually held within 6 inches of the animal's head.

In pictures 2 and 3 you will see two shooting pits. The animals are shot in the pit, immediately hoisted out and bled.

The slaughtering of livestock by this method seems satisfactory at all plants visited.

STUNNING HAMMER

The stunning hammer is used for slaughtering cattle, calves, swine, and sheep. This method is used in both large and small slaughtering establishments.

In using this method of stunning swine it was found that it was quite often necessary to hit the animal more than once. However, in general this method appeared to be satisfactory in stunning animals for slaughter. Pictures displaying stunning operations appear on the following pages.

SHACKLING AND BLEEDING METHOD OF SLAUGHTER

The shackling and bleeding method of slaughtering is primarily used for calves, swine, sheep, and poultry. According to the University of Wisconsin veterinary science department, bleeding is a very painless way of slaughtering. Many animals which are slaughtered by bleeding are quite normal, actually eating feed until they reach a state of unconsciousness due to the loss of blood.

Nearly all poultry and many of the swine are slaughtered by the above method. At all plants visited livestock was shackled by having a chain placed around the animal's leg. It was rumored that at some plants, calves are placed on hooks around the wall and bled. During our survey no evidence of this practice was found. This procedure would definitely be an inhumane method of slaughtering calves.

In general it would appear that shackling and bleeding under the present procedure is satisfactory in slaughtering swine, calves, sheep and poultry. On the following pages are various pictures which show some of the phases of shackling and bleeding livestock during slaughter.

ELECTRIC STUNNING

At the present time one plant in Wisconsin, Paulus Market, Cedarburg, Wis., is using the electric stunning method in slaughtering livestock. This method of stunning livestock is used quite extensively in Europe.

The electric stunner used by the Paulus Market is a Schermer-Karlsruhe which costs around \$200 in New York. This instrument uses 80 volts applied to an animal 10 to 12 seconds and the animal is stunned approximately 3 minutes. This particular electric stunner is used for calves, swine, and sheep. Mr. Paulus stated that it was not quite large enough for cattle and did not do an adequate job.

The university veterinary science department feels that electric stunning, if applied correctly, does an adequate job, however, may not be as humane as some people believe. This is the view of people who have studied animals which have not been adequately stunned by the electrical method.

Some packers also feel that possibly animals do not bleed as well when electrically stunned as if they were stunned in a different method. At the present time not too much information is available on this method of stunning animals. Available data is inclusive as to whether this method is more humane than other methods more frequently used. There is some evidence that this method adversely affects the quality of the meat.

CARBON DIOXIDE IMMOBILIZATION OF ANIMALS FOR SLAUGHTER

At the present time the method of stunning livestock with carbon dioxide is not used in Wisconsin. Some plants which are studying this method feel that it would be an economic advantage to them to use carbon dioxide.

The carbon dioxide method is used by some plants in this country and a number of plants in Europe. Swine and poultry can be immobilized with carbon dioxide, thus making them easier to handle resulting in reduced possible carcass damage caused by struggling animals and poultry.

It appears that this method of stunning would be rather difficult for some small plants. The lowest initial cost to put this type of stunning method in operation would be around \$40,000. The cost to operate such a method would range from 5 to 8 cents per pig. At the present time the Jones Dairy Farm, Mr. Ed Jones, manager, Fort Atkinson, Wis., is contemplating the possible use of this method. This method is also under study at Oscar Mayer at Madison.

If this method of stunning is used in the future by some of the larger slaughtering establishments in Wisconsin and is found to be practical, it undoubtedly will gain favor with other slaughtering establishments large enough to make the necessary investment.

KOSHER KILLING OF POULTRY AND LIVESTOCK

Animals and poultry at certain plants are slaughtered under the rites of the Jewish religion. This method of slaughtering is referred to as kosher slaughter.

When animals are kosher slaughtered, the bleeding of the animals is done by a representative of the Jewish church. The animal is not stunned prior to bleeding. This method in many respects is very similar to that of shackling and bleeding.

GENERAL CONCLUSION

Apart from humane consideration, slaughterers have found that it is more economical to kill livestock by humane methods. Research at the University of Missouri demonstrates that animals under excess stress before slaughtering can produce dark cutting meat. Cattle used in testing were excited many times over a 24-hour period. They showed an increased secretion of adrenalin which brought about body reactions resulting in dark cutting carcasses.

The actual method of killing livestock was similar, both in large and small slaughtering plants. Most of the small plants slaughter livestock immediately upon arrival. This was usually due to the reason that small plants have no facilities for holding livestock. Also, in most cases the livestock was shipped over shorter distances.

Some of the large plants held livestock for a period of time. Usually these plants do have some facilities for holding cattle and swine. Larger plants quite often receive cattle and swine over a greater area resulting in more assembling and transit before slaughter. Some slaughtering establishments feel that if they hold and feed the animals for 3 to 4 days, superior carcass cuts will be offered to the consumer.

Calves and poultry are usually slaughtered immediately after arrival at the killing plant. During our survey we received complaints that calves were hooked by the tendons and shackled to the wall prior to killing in some of the small slaughtering establishments. We found no evidence of this practice nor could complaining parties name specific plants following this method.

We believe that the methods of killing livestock and poultry now used in Wisconsin are adequate and humane. Further, slaughterers are providing adequate feed and water for animals held at their yards.

Mr. ADAMS. To return to the bill, section 2 specifies that a slaughter method shall be deemed humane if it renders an animal insensible to pain by a single blow or gunshot. We are not certain of the meaning of the phrase "insensible to pain." We do not know how such a determination can be made.

Is an animal which is frightened suffering pain? Does "insensible to pain" mean the same thing as "unconscious"? These are some of the questions which are troubling us and to which we do not know the answers. The "single blow or gunshot" also causes us some concern. I have been told by men who are familiar with plant operations, and I think Mr. Eshbaugh will support me on this, that there is no method known today which will stun every animal with a single blow or gunshot. The first method which is prescribed as impossible to achieve.

Also defined as humane are "electrical, chemical, or other means that is rapid and effective." How rapid and how effective the method would have to be would have to be determined through the exercise of human judgment, presumably that of the Secretary of Agriculture. As pointed out, there presently are some differences of opinion in this field.

In section 3 of the bill, all agencies of the Federal Government would be prohibited from purchasing any livestock products produced or processed by a slaughterer or processor which in all of its plants did not handle and slaughter all livestock by approved methods. We are not sure what the term "livestock products" is intended to include. No doubt it is intended to include meat and meat food products. If it is intended to go further and include such items as glue, tennis rackets, and leather upholstery, we believe that administration will present some serious problems.

Even if it were construed to include only meat and meat food products, we don't see how this provision can be practically administered. Suppose, for example, that a slaughterer uses more than one

blow to stun a particular animal, thereby placing himself in violation of section 2.

It appears that under section 3, he may be precluded from selling any products processed in any of his plants to the Federal Government. How long he would be placed under this penalty is not clear. Under section 3, each Government supplier would be required to provide a certificate of eligibility, based on compliance with the law. Many of the items the Government buys are processed to a rather high degree, and we wonder how the identity of humanely slaughtered products could be maintained where the raw materials passed through several different hands. If I am a meat canner, and I purchase beef trimmings, I may have difficulty in establishing whether they came from an animal that was slaughtered by a prescribed method, and the Government agency purchasing my product might be expected to have similar difficulty. However, I would be expected to provide a certificate which might subject me to penalties if found to be inaccurate.

The identification prescribed in section 4 (c) would presumably aid in determining compliance in the case of carcasses. When carcasses have been cut up or ground up, it appears that the identifying marks would be lost. Also, while the bill does not make this point clear, it seems that the Meat Inspection Division of the Department of Agriculture might be given the responsibility for the identification procedure.

As this committee appreciates, the Meat Inspection Division has been placed under a severe handicap in the last several years because of lack of funds. The bill before us carries no appropriation for its administration, and we believe it might adversely affect the ability of the Department to carry out its present responsibilities under the Meat Inspection Act.

We believe a committee to advise the Secretary of Agriculture with respect to slaughtering methods might have some merit. We suggest, however, that as the committee is proposed in section 5, it would not necessarily include personnel who are well qualified to deal with research procedures. If the committee would be expected to inquire into the subject of pain, it might be well to include a physiologist, a pathologist, and a toxicologist.

It is our belief that this bill would greatly restrict the competitive bidding on Federal meat contracts, would result in increased costs to the Government and disrupt the marketing of livestock. The claim has been made that only the large companies would be required to change their slaughtering methods. Actually, the bill would prevent a small company from ever selling to the Federal Government unless it incurred the substantial expense necessary to change all of its methods of slaughter on all species.

Mr. Eshbaugh's testimony has indicated to you that progress is being made in this field, and the very fact that certificates for adoption of new methods have been awarded to so many packers is proof that the meatpacking industry is sincere when it says it wishes to improve all methods. It seems to us that a slaughtering method to be satisfactory should meet three tests:

First, it should be economical, both from the standpoint of the livestock producer and the consumer of meat. If the costs are so excessive so that either or both are penalized, then it is not satisfactory.

Second, it must be acceptable from a health standpoint. It is absolutely essential that the food product be wholesome and fit for human consumption. We believe that both of these objectives have been met in the slaughtering methods which the United States Department of Agriculture has found acceptable in federally inspected plants. Of course, many other plants employ the same methods.

Finally, a slaughtering method should be humane. As pointed out, there are some differences of opinion as to what is humane, and the industry is making a sincere effort to develop those methods which will be accepted as humane by the persons best qualified to judge, and at the same time meet the other two essentials of any slaughtering method.

We fear that one adverse effect of this bill would be to cause processors who would be compelled to adopt the methods prescribed by the Government to play it safe and that voluntary efforts to bring about further improvement would be stifled.

It is our conviction that legislation of this type will not bring about the desired result. We do favor continued effort in this field; and if legislation is thought necessary our position is to endorse the approach of S. 1213, which would encourage research.

Comments have been made concerning the activities of the American Meat Institute in connection with this legislation. Since we believe it to be unsound, we have said so, and we have expressed our views to others whom we thought would be interested. Certainly the supporters of the legislation have taken every means to do the same sort of thing. However, we have not said that the bill covered practices on farms, and did not intend to give that impression. We naturally have raised some questions whether farm practices would come under scrutiny next, and that does seem to present a possibility.

Thank you, Mr. Chairman.

Senator JOHNSTON. Are there any questions?

(No response.)

Do you have any further statement?

Mr. ADAMS. No, sir.

Senator JOHNSTON. We certainly thank you for coming before us this morning.

Our next witness is Rabbi Isaac Lewin, professor at Yeshiva University.

The CHAIRMAN. Doctor, you have a mighty long statement. We have quite a few witnesses to be heard.

Mr. LEWIN. I will read only part.

The CHAIRMAN. I wonder if you would highlight it for us.

Mr. LEWIN. Yes, sir.

STATEMENT OF RABBI ISAAC LEWIN, MEMBER, EXECUTIVE COMMITTEE, UNION OF ORTHODOX RABBIS OF THE UNITED STATES AND CANADA, NEW YORK, N. Y.

Mr. Chairman and members of the committee: My name is Isaac Lewin. I am a rabbi, a member of the executive committee of the Union of Orthodox Rabbis of the United States and Canada, and professor of history at Yeshiva University in New York.

I am appearing before this committee on behalf of the Union of Orthodox Rabbis of the United States and Canada, the oldest and

largest organization of orthodox rabbis in the world. The union numbers, among its members, the world's greatest authorities in the field of Talmudic learning—men whose judgment on questions of Jewish law and ritual is unquestioningly followed by the Jewish community both within and without the United States.

I am authorized also to speak today on behalf of the following national American Jewish organizations who join in this statement:

Agudas Israel World Organization, American section; Agudas Chabad Lubavitch; Agudath Israel of America; Poale Agudath Israel of America; Rabbinical Alliance of America; Rabbinical Board of Greater New York; Religious Zionists of America ("Mizrachi" and "Hapoel Hamizrachi");

Union of Grand Rabbis.

Mr. Chairman, may I say that I am convinced that the groups which I represent, and the important rabbinical and lay orthodox groups which will be heard separately, represent the overwhelming majority of American Jewry. I know that separately this committee has received also a statement of the American Jewish Committee, an important organization in America which is well known, supporting us, or rather supporting the viewpoint taken by us, and opposing this bill.

I would like also to say that Jews over the entire world are now deeply alarmed about this situation in America. And I would like to note that this bill, S. 1497, identical with H. R. 8308, passed by the House of Representatives on February 4, 1958, is of utmost importance to the religious Jewish community in America, in that it directly affects the Jewish religious method of slaughtering animals for food, shehitah.

It is our opinion that this bill, if enacted, would make the Jewish method of slaughtering animals virtually impossible in the United States. Consequently, it would constitute a grave infringement of religious freedom.

The fact that such legislation is now even being considered by Congress is an unexpected blow to the many citizens of America who are observant Jews. We have never anticipated that it would be necessary for representatives of the rabbinate to come before Congress and defend the right of Jewish citizens to live according to the dictates of their religion. Directly and indirectly attempts to outlaw the Jewish religious method of slaughtering animals have been made in European countries; but we had always felt certain that such schemes, if suggested in this country, would be summarily rejected.

Unfortunately, cloaked as a heart-tugging plea for humaneness to animals—a principle which all of civilized humanity adopts and which is particularly dear to the Jewish religion—as I will prove later in this statement—under the guise of such universally-appealing concepts, the outlawing of shehitah is now being attempted in the United States. We do not doubt the sincere intentions of the Members of Congress who sponsored this legislation. We must, however, emphatically oppose S. 1497 on the grounds that it is bound to violate the religious freedom of Jews in America.

I have a chapter in my statement called Analysis of the bill and I prove in this statement—I won't read it—that while section 2 (b), which you quoted before, gives permission for shehitah, nevertheless

practically it will be made impossible because only the cut is being mentioned in section 2 (b) of the bill which is before you, Mr. Chairman.

Section 2 (a) has five expressions as far as the handling and slaughter of animals are concerned.

If you will look at section 2 (a) you will find there an expression of shackling, hoisting, throwing, casting, and cutting. Only cutting is permitted—only the cut is permitted in section 2 (b). The four other expressions—shackling, hoisting, throwing, and casting—do not appear.

I prove in this chapter, on the basis of statements of the Department of Agriculture, and also on the basis of the report of the Committee on Agriculture of the House, which accompanied the bill, that the intention is that they do want to exclude all the handling of animals from this permission granted to the Jewish method of slaughtering. Therefore, it is beyond any doubt that in case this bill would be enacted, shehitah, our Jewish method, would be impossible. I of course assume—

The CHAIRMAN. Do you describe your method in your statement?

Mr. LEWIN. Yes, sir.

The CHAIRMAN. I want that for the record.

Mr. LEWIN. I describe it in the third chapter of my statement, the method, in order to show that it is a religious function, how precisely it must be done, how impossible it is to call any part of this function inhumane because it is just the opposite. And I have also included in the statement the new, very recent statement of Prof. H. H. Dukes, professor of veterinary physiology and head of the department of the New York State Veterinary College, of Cornell University, at Ithaca, dated March 26, 1957. I want to read to you this statement, because it will answer you if any doubts have been raised as far as the humaneness of shehitah, as well as the testimony of experts of the entire world, England, Australia recently, Germany, even in Switzerland, all the experts have said that this method is the most humane method in the world. Professor Dukes now has undertaken a thorough study during the last 2 years of this matter. This is a photostatic copy of his statement which I would like to present. It is included in my statement.

The CHAIRMAN. This statement will be placed in the record at this point in connection with this testimony.

(The statement follows:)

SHEHITAH SLAUGHTER

I have seen more than 100 cattle and a large number of sheep and calves slaughtered by shehitah, the Jewish method of slaughter. The observations were made in several slaughterhouses, two of them large establishments in New York City.

In my opinion the method is humane. This opinion is based on (1) detailed observation of the method in all its aspects, and (2) careful observation of the animals before, during, and after the cutting of the throat. The visual observations have been supported by the making of several motion pictures, some of them in slow motion.

The cutting of the throat in shehitah is done with a large, very sharp knife with an edge of great smoothness. The incision is a very large one, quickly and skillfully made by the ritual slaughterer. Among the structures of the neck that are severed are the carotid arteries and the jugular veins. An immediate outpouring of great quantities of blood occurs from the heart ends of the severed

vessels. In most cases there is very little bleeding from the head ends of the severed vessels.

In my opinion the suddenness and the magnitude of the hemorrhage almost immediately reduce the blood flow through the cerebral vessels to the point where consciousness would no longer be possible. It is most unlikely that consciousness would be maintained by the small blood flow through the vertebral arteries (which are not severed by the cut but which in ruminants supply little blood to the brain anyway). It should be pointed out that consciousness does not necessarily imply pain.

The cutting of the throat is done so quickly and skillfully that the feeling of pain as a result of the cut is improbable. At the most, any pain felt would be momentary, for the animal must quickly pass into unconsciousness from inadequate blood supply to the brain.

The contractions of the muscles of the animals, including struggling and sometimes convulsive movements, following the cut have nothing to do with consciousness or pain. They are caused by the action of nerve centers in the brain stem and spinal cord, levels of the nervous system below the cerebral cortex. These centers are at first excited by the lack of blood supply and send out nerve impulses to the muscles they govern. The reaction of these nerve centers to lack of blood supply and oxygen is well known to physiologists and in no way concerned with consciousness and pain.

An uninformed person watching the reactions of an animal dying from severe hemorrhage could draw erroneous conclusions with respect to consciousness and pain. The correct interpretation of the reactions requires fundamental knowledge of the anatomy and physiology of the animal, particularly as applied to the circulation, respiration, and nervous system.

Many physiologists and veterinarians in past years have declared that in their opinion shehitah slaughter is humane. I join in this assertion.

H. H. DUKES,

Professor of Veterinary Physiology and Head of Department, New York State Veterinary College, Cornell University, Ithaca, N. Y.

MARCH 26, 1957.

Mr. LEWIN. I would like to mention that Professor Dukes 2 weeks ago suggested to the Institute of Religious Jewry in America, a new report, a very scientifically phrased report—I didn't bring it with me—and I have two sentences which are of extreme importance and I would like to quote them. They are also included in my statement: He said,

It can be concluded that the rate in fall of pressure in the artery is such that within 2 seconds the pressure has dropped to approximately one-third of its normal value. This is presumably below the level necessary to maintain consciousness.

Senator, I might venture to say that there is no other method of slaughter known which produces unconsciousness within 2 seconds. There is no other method known. It is only the Jewish method.

I have in my statement a chapter on other methods advocated by S. 1497. You have rightly asked the previous witness about the three different aspects of section 2 (a). You have asked about the single blow and gunshot, and you have, in my statement, a clear answer. There is no such method which could guarantee that with one single blow or gunshot the animal will be stunned. There are cases, but not all.

As far as the electric stunner is concerned, I have here a whole scientific elaboration. I worked on publishing a book on this. It is beyond any doubt that electric stunning is neither humane nor practical. And you have here a lengthy statement by a British professor and then by some German professors, George Magnus, and Walter Jacobi, who show that electric stunning does not produce unconsciousness.

The animal being immobilized by it, according to all scientific evidence, is conscious. If the animal is conscious, of course there is no stunning. Besides this when the animal has been stunned electrically there are lesions in the lungs and other organs of the animals. It cannot be determined at the medical post mortem inspection whether these lesions are due to sickness or to electric stunning.

It might be possible in a lengthy operation to ascertain this, but the physician who has the medical examination of the carcass of the animal finds it impossible. Therefore, the Department of Agriculture in America has rejected this method as a stunning method.

As far as the chemical method is concerned, it is far from even an attempted scientific evaluation. It consists of the procedure described to you. The animals are conveyed through a tunnel where they are subjected to carbon dioxide gas and then there are two dangers. First of all, underexposure of gas, which doesn't produce unconsciousness; and overexposure which causes death by asphyxiation, and therefore consumption of meat coming from such methods is absolutely unhealthy. I would like to mention something very important. About 10 years ago the American Meat Institute, as far as I have found from the literature, suggested experiments in the use of gas to the representatives of the humane association as a means of inducing unconsciousness in livestock.

The Humane Association unequivocally rejected chemical stunning as definitely inhumane, which shows how these gentlemen feel about this.

We can very well understand the opposition of the Department of Agriculture to humane slaughter legislation. In order to enforce such legislation, the Department must know of available methods that meet the criteria set up by the bill. No such methods now exist.

Other than the Jewish method, recognized by all leading experts as truly humane, no available stunning method can be scientifically judged as humane and practical. This entire question is the result of highly charged emotional propaganda disseminated by the societies for humaneness to animals who consciously avoid their gaze from the other flagrant cruelties perpetrated on animals, and wage a bitter battle on the scientifically insupportable, though fundamentally appealing, ground of preventing cruel slaughter.

There are many aspects of brutal treatment of animals which rather deserve the attention of the humane societies. Let me present only a few examples.

Hunting causes immeasurable needless suffering to animals. Poor shots often maim wild animals, and the trapped beasts are usually exposed to excruciating pain.

Castration was mentioned here, and is often perpetrated by an insufferably severe operation; cattle are branded with a hot iron for identification, often repeatedly; horned cattle have their horns removed early in life; lambs have their tails cut off for sanitary reasons; unweaned calves are deprived of food for long periods of time in transit and market places; rings are forced into hogs' noses to prevent rooting; portions of ears are cut away for identification.

It is to these terrible situations that the Senate should turn its attention, and not to S. 1497, a bill with no justification in reason and no effect in practice. This bill calls for methods that in reality aim to

satisfy the conscience pangs of the viewer of animal slaughter, instead of approaching the problem from the view of minimizing the pain of the animal itself.

I have another chapter in my statement on the detrimental consequences of electrical and chemical stunning on the health of the meat consumer. I quote a recent letter of April 23, 1958, by Mr. Richardson, Acting Secretary of Health, Education, and Welfare, in which he wrote to you, Mr. Chairman, about this aspect of the whole problem.

The meat coming from stunned animals by chemical or electrical methods is absolutely questionable as far as health is concerned.

And I have, also, a chapter on the economic consequences of S. 1497.

This bill, if enacted, will cause very serious economic disturbances within the United States. The individual consumer will find himself paying a higher price for meat, which will most probably be segregated into three categories: (a) Meat coming from slaughterhouses with "humane" methods; (b) meat originating from abattoirs using the religious method; and (c) meat from slaughterhouses where "inhumane" methods are used.

The United States Government will, according to S. 1497, be restricted in its discretion to buy meats for the Army. No wonder then that the Department of the Army has officially asked the Senate Committee on Agriculture and Forestry, in its letter of April 8, 1958, to make this bill inapplicable to the purchases of the Department of Defense.

Senator SYMINGTON. May I interrupt the witness?

The CHAIRMAN. Yes, sir.

Senator SYMINGTON. I had a dentist appointment and I have to be on the floor shortly. Therefore, I would like to ask a question at this point.

The CHAIRMAN. Proceed.

Senator SYMINGTON. We had extensive testimony yesterday that humane slaughter bills had been passed in many other countries of the world. Are they all passed despite your opposition?

Mr. LEWIN. Yes, sir. We always, in every country in which we could raise our opposition, we did it. And I must say that in several countries the governments and the population have come already to the conviction that the bills are not justified.

You have in the files here a statement that in Denmark, for instance, electrical stunning has been suspended for quite a while. The electrical stunning is the most popular method used in England and in other countries. You see what science has to say about electrical stunning. Science today rejects electrical stunning and in the countries where the electrical stunning was introduced you have the reaction.

And other methods are definitely questionable. There is no method in fact, outside of the Jewish method, which has been proved for 2,000 years, and as Professor Dukes of Cornell University states, today it is the most humane method; you have no other method.

Senator SYMINGTON. When was your method of slaughtering animals first started?

Mr. LEWIN. When was it first in operation?

Senator SYMINGTON. Yes.

Mr. LEWIN. It is a Biblical precept.

Senator SYMINGTON. What year would that be?

Mr. LEWIN. About 2,500 years. The Bible says you shall slaughter "As I commanded you," said God to Moses.

Senator SYMINGTON. I am only asking for information. You mentioned some of these other cruel approaches to animals, other things that are done to their ears, castration, and so forth. If that could be done with less pain to the animal you would be for that, would you not?

Mr. LEWIN. We would not be, because we feel it cannot be done without pain to the animal. We are prohibited by Jewish law to do any pain. I have a special chapter, Senator, in which I show from the time of Moses through the Talmud to the Middle Ages, they have expressed themselves unequivocally—

Senator SYMINGTON. I know that there has been some reasonable progress even in the last 50 years about operating on people. It is less painful because of anesthesia and so forth. Couldn't there have been some change in the 2,500 years with respect to animals that would be acceptable to your church? Again, I am only asking for information.

Mr. LEWIN. We strongly believe the divine precepts and divine commands of God have not yet been surmounted and have not been surpassed by any human knowledge. On the contrary, what modern scientists have today said is mostly confirming the basic ideas in the Scriptures, and this is one of the aspects of this divine character of document which to you is probably as holy as it is to me.

Senator SYMINGTON. I completely respect your position about the Bible.

Mr. LEWIN. Thank you.

Senator SYMINGTON. It does seem to me that there have been improvements in the handling of pain in the last 25 years in other parts of our civilization and I just wondered if you hadn't thought that there had been some possible improvements in the handling of animals.

Mr. LEWIN. Whatever is possible we are doing during the centuries to bring improvements about—this is what we have been told to do—our sages in the Talmud and in the later period have always said we have within the framework of the Bible and within the framework of the commands which have been set, we are entitled to do whatever is possible.

Senator SYMINGTON. We had a statement that said your work is done with sharp instruments and so forth?

Mr. LEWIN. Yes, sir.

Senator SYMINGTON. I am sure that is true, especially if that is part of what is important from the standpoint of the teaching of the Bible. We had quite a little testimony yesterday about it being done without having the right instruments.

Mr. LEWIN. The Jewish method?

Senator SYMINGTON. No. Not in anything that you control, but chasing steers around, clubbing them and so forth. In fact, we had some pictures showing where the animals appeared to be in a great degree of pain. I wonder how this can be prevented. I know the things that you control would be right. But we had a lot of evidence here yesterday with respect to, for example, hogs being thrown into scalding water alive, and also cattle being hit with a hammer in the

wrong place or too lightly so they had to be hit quite a little more, and their eyes knocked out and so forth.

What would you do in a case like that?

Mr. LEWIN. I am professor of Yeshiva University, and the scientific field is my field. I have here my colleagues from the Union of Orthodox Rabbis who are practicing. If you wish information on this situation in the slaughter houses, I would call on them.

Senator SYMINGTON. Mr. Chairman, I will be back this afternoon. If this eminent witness will have the gentlemen available then, I would like to ask a couple of questions along that line, if the Chair approves.

The CHAIRMAN. We have quite a few witnesses. I don't know when we will reach him. I can't give you the exact hour.

Senator SYMINGTON. I will be back.

The CHAIRMAN. I am supposed to be at 2 other meetings this morning, and 2 this afternoon, and I have chosen this. So I am in the same fix as you are, Senator.

Senator SYMINGTON. I know you are, sir. What time do you plan to start this afternoon?

The CHAIRMAN. I expect to go on until about a quarter of one and start again at two, because we have quite a list of witnesses here.

Mr. LEWIN. I will place myself at your disposal, Senator.

The CHAIRMAN. Proceed.

Mr. LEWIN. I would like to say a few words on this economic aspect of the problem. There is no doubt, in our opinion, that the Department of Defense is right in asking for an exemption. They said they want to be eliminated from the bill and the bill should be made inapplicable to purchases by the Department of Defense, and about the fiscal efforts of the United States Government.

There is no doubt that this letter stands out as incontrovertible representation of the detrimental consequences of S. 1497 on our economic life.

The CHAIRMAN. If that is eliminated it will kill the bill.

Mr. LEWIN. Certainly. And they want to have it eliminated. Therefore, this is excellent proof of the impracticality of the bill.

Now we have a few words—Senator Symington has already asked me before—about the Jewish teachings concerning kindness to animals. So that our opposition to S. 1497 will not be misinterpreted and we be not accused of opposing humane treatment of animals, I should like to review very briefly the position of the Jewish religion toward animals.

When the Sabbath Day was promulgated on Mount Sinai, not only were the slave, the maidservant and the stranger remembered, but also the inarticulate creatures, the beast of burden and all the other animal workers: "Thou shalt not do any work * * * nor thine ox, nor thine ass, nor any of thine animals" (Deuteronomy 5:14).

And, lest it be thought that the reason for letting the animals rest was in order to allow the master to rest as well, another verse makes it clear that the rest is for the animals' benefit:

On the seventh day thou shalt rest, that thine ass and ox may rest (Exodus 23:12).

The laws of Moses teach us that we should be careful not to cause animals any distress while they work. Hence the command (Deuteronomy 25:4):

Thou shalt not muzzle the ox when he treadeth the corn,

which means that you shall not allow an animal to suffer by preventing it from partaking of the food which it is in the very act of preparing for your own consumption.

The Bible said (Exodus 23:5):

If thou see the ass of him that hateth thee lying under its burden, thou shalt forbear to pass by him; thou shalt surely release it with him.

And the Talmud added that this precept is in force whether the owner of the weak animal be a Jew or non-Jew, a righteous or a wicked man; in any case one must come to its aid (Baba Metzia, 32a). This is a basic regulation of Jewish law, included in the legal code—Shulchan Aruch (Choshen Hamishpat, art. 272).

We have other such provisions in the Bible. I don't want to speak too long.

According to the Jerusalemite Talmud (Ketuboth, IV:8), no one may buy cattle or poultry unless he has prepared food for the beings he is purchasing. The Babylonian Talmud (Berachoth, 40a) states that the owner of an animal may not eat before his beast had been fed, and bases its regulation on the Biblical passage (Deuteronomy 11:15):

And I will give grass in thy fields for thy cattle, and thou shalt eat and be satisfied.

The sequence of this Biblical quotation shows clearly that it is the cattle which must first be fed.

Talmudic literature says of Moses, the first and greatest leader of the Jewish people, that only after he proved his kindness to animals did God accept him as His divine messenger to the Jewish people. (Midrash Shemoth Rabba 2:2.)

The concept of prevention of cruelty to animals is the fundamental behind Jewish law's opposition to hunting of animals for pleasure. The Babylonian Talmud (Avoda Sara, 18b) interprets the opening words of the Psalms (Blessed is the man who has not followed the advice of the wicked and has not stood in the paths of sinners) as referring to those who do not hunt animals. I venture to say that I represent here the oldest humane society in the world. The Jewish religion is in fact the oldest society for prevention of cruelty to animals. 2,500 years we are working in this direction.

According to a standard medieval ethical work, Sefer Chassidim, (Book of the Saints)—

man will be called to account for any pain he has caused an animal; e. g., loading upon it a burden too heavy for it to carry, or striking it when it cannot move.

Maimonides, the first and greatest Jewish codifier, and a famed physician in his day, in his Guide for the Perplexed, declared the following with regard to religious slaughter of animals:

The commandment concerning the killing of animals is necessary, because the natural food of man consists of vegetables and of the flesh of animals; the best meat is that of animals permitted to be used as food. No doctor has any doubts about this. Since, therefore, the desire of procuring good food necessitates the slaying of animals, the law enjoins that the death of the animal should be **the**

easiest. It is not allowed to torment the animal by cutting the throat in a clumsy manner, by poleaxing, or by cutting off a limb whilst the animal is alive.

CONCLUSION

Our opposition to S. 1497 is based both on its grave implications for the Jewish religious method of slaughtering and on the impracticality of the legislation. Furthermore, we have reason to fear what the future may bring under such legislation because similar attempts carry with them a very sad tradition.

In European countries such legislation was regularly the forerunner for discrimination against the Jewish population. We do not mean to imply that history must repeat itself in this country so renowned for its fundamental tradition of religious liberty. However, the lesson of history is that laws providing for humane slaughter, even if armed with guarantees for the Jewish method, have resulted in movements against shehitah and against the Jews. Though the proposed legislation is not motivated by anti-Semitic sentiments, the effect of its passage will undoubtedly be a campaign waged by the confused and overzealous against Jewish ritual slaughter. Recent developments in England prove this point.

A law adopted by the British House of Commons on July 28, 1933, provided for electric stunning of all animals before slaughter, with the clear stipulation that—

no person shall be liable for any contravention of these provisions in respect of the slaughter of any animal slaughtered without the infliction of unnecessary suffering by the Jewish method for the food of Jews and by the Mohammedan method for the food of Mohammedans.

The British Humane Societies, once having achieved this humane slaughter bill, began a vehement campaign for the abolition of the clause on religious slaughter. In 1954 and 1956 bills were already introduced in the House of Commons to this effect.

On December 12, 1956, a vote was taken in the House of Commons. One hundred and thirty-two Members voted for a motion leading to the prohibition of religious slaughter by Jews and Mohammedans, 178 voted against it. It is horrifying indeed to learn that such a motion was defeated by only a small majority.

How was it done? In order to create the necessary climate of public opinion and to encourage such terrible discrimination against Jews and Mohammedans alike, the Royal Society for the Prevention of Cruelty to Animals, the oldest English humane society, published a pamphlet entitled "Legalized Cruelty." I have this pamphlet with me.

On the cover is a drawing of a bearded shohet, armed with a long knife, standing near a Weinberg pen from which the head of an animal protrudes. The Royal Society for Prevention of Cruelty to Animals, in this shameless document of bigotry, calls for the abolition of the "gross cruelty perpetrated on cattle slaughtered in Great Britain for Jewish and Moslem consumption, and that by deliberate permission of the law." This demand has been made in regard to the Weinberg pen, which those who favor the enactment of S. 1497 consider the ideal solution. I would dare say that our British friends are not less civilized or less tolerant than we are. Yet barbarity is something which all of the civilization abhors, and it is far

too easy to gather public support in favor of such an emotionally charged claim of cruelty, though it be used to disguise the more heinous brutality of religious intolerance. An enactment of S. 1497 presents serious fears indeed.

And we can find no positive justification for the introduction of such legislative commands in the United States. It is paradoxical in the extreme, in a country like ours with such a glorious tradition of freedom to propose that humaneness be enforced under the threat of criminal penalty. It is legally enforced humaneness which often turns out to be most cruel.

Many other countries, looking to the United States for guidance, might understand the passing of S. 1497 to be a green light for the introduction of discriminatory regulations against shehitah. In America, too, State legislatures will soon find themselves under great pressure to introduce restrictions on the Jewish method of slaughter. Some action to this effect has already begun.

The same massive propaganda campaign which has been undertaken with the avowed aim of directing an emotional appeal to the Members of Congress, so as to pressure them, under the guise of humanitarianism and on the basis of grossly exaggerated stories about cruelty perpetrated in slaughtering animals, to vote for this legislation, will soon be directed to State legislators, and possibly continue to be aimed at Congress, with the intention of changing this bill and further restricting shehitah.

We sincerely hope that you, Senator, and your committee will resist the heavy propaganda campaign instituted to enact this uncalled-for legislation and reject S. 1497 which must, if passed, only disturb the religious feelings, impair the religious practice, and deny the religious rights of millions of bona fide, loyal, and honorable citizens of the United States.

Thank you, Mr. Chairman.

The CHAIRMAN. I can give you assurance that this committee is going to go into the matter as far as we can. I want to say that I have been a member of the Senate for almost 22 years and I have never been pressured so much in my life during my tenure here as a Senator as I have on this bill. I hope to go into it as far as possible and to get the facts out of it. I know that I received a lot of letters from people who I don't think know the facts.

In that connection I want to ask you this question: The Rabbinical Assembly of America and the Hebrew congregation, which I understand is a reform group, are, we have been told, in favor of and are supporting this measure. Many Senators have been pressured by them.

That group includes the American Jewish Committee and also the American Jewish Congress.

How does the membership of your group compare with the membership of the groups I have just mentioned?

Mr. LEWIN. Senator, I believe the question should really be answered by my distinguished colleague.

The CHAIRMAN. Just answer the question.

Mr. LEWIN. I will explain to you. What you said is correct in part. The American Jewish Committee are as opposed to the bill, S. 1498 and S. 8308 as we are. Here you have a copy of the statement of the

American Jewish Committee sent to you, and I have the same copy received from them. They are unequivocally opposed to this bill, the American Jewish Committee.

As far as the American Jewish Congress is concerned——

The CHAIRMAN. The American Jewish Committee is a part of the Rabbinical Assembly of America?

Mr. LEWIN. The American Jewish Committee is not a part of any Jewish group. It is one of the most important organizations in the world, I would say——

The CHAIRMAN. I was told by very prominent Senators that most of the Jewish people are for this bill.

Mr. LEWIN. That is not correct, Senator.

The CHAIRMAN. What proportion is for it and what percentage is against it? Can you tell me that? It looks as though this bill is going to be decided on how many you have on one side as compared to the other.

Mr. LEWIN. Would you permit Rabbi Teitz, who is the member of the presidium of our union, to answer the question?

The CHAIRMAN. I would like to get the number, if we can. State your name for the record.

STATEMENT OF RABBI PINCHAS TEITZ, MEMBER OF THE PRESIDIUM, UNION OF ORTHODOX RABBIS OF THE UNITED STATES AND CANADA, NEW YORK, N. Y.

Mr. TEITZ. My name is Rabbi Pinchas Teitz. I am a member of the presidium of the Union of Orthodox Rabbis of the United States and Canada.

Senator, and gentlemen, I wish to state that there is no difference of opinion among observant Jews which is required to dispell——

The CHAIRMAN. What do you mean by "observant Jews"?

Mr. TEITZ. I will explain it.

When the bill was before the Congress there was a united front by the entire Jewish community. Some were opposed to the bill on religious grounds, some on general civil grounds. The bill as finally written reached a compromise so that those organizations who were opposed to the bill on purely civil grounds were satisfied, but religious Jews who are interested in this bill, not from the political point of view, but who feel it may infringe on their religious rights, I can state that there is not 1 observant Jew—1 Jew who observes the dietary laws—who would be in favor of this bill.

The CHAIRMAN. How many are there who looks at it from the political standpoint? I would like to know how you are divided.

There seems to be a division in our own country among the representatives of various groups, and I presume in the last 2 or 3 months, I suppose, I feel like I have received 15,000 or 20,000 pieces of mail on it, as chairman of this committee, and they all seem to be alike. No count has been made and that is probably exaggerated, but there has been a flood of mail.

I would like to know what the division is among the Jewish people, as to whether or not this bill should be enacted, in numbers.

Mr. TEITZ. I will give it to you. It is very difficult to say in numbers. We don't know how many Jews do observe the dietary laws and how

many do not. However, I can state that the number who observe dietary laws are increased from day to day because the observance of dietary laws is a prerequisite of having a religious home. A Jewish home that does not observe the dietary laws is not considered a religious home. It was because of a lack of education that many drifted away and did not fully appreciate the value of kosher, as we call it, the dietary laws. But today with our schools throughout the country, their numbers are on the increase. I would say that the overwhelming majority of Jews in this country observe the dietary laws.

With regard to agreement or disagreement to this legislation, I would like to say the following: Only those Jews who observe the dietary laws, who are vitally interested, have a right to express their opinion whether they are for the law or against the law as far as the Jewish people are concerned. I don't deny the right to any American citizen to express his or her opinion. But then they express their opinions as Americans, but not as Jewish people, not as religious observing people.

The CHAIRMAN. You mean the latter statement, as religious?

Mr. TEITZ. Yes.

The CHAIRMAN. You are all Americans, I hope?

Mr. TEITZ. Yes, sir; as religious people.

I may say that my organization, the Union of Orthodox Rabbis of the United States and Canada, is considered the highest rabbinical tribunal in the world today. And if our body, our rabbinical body, should state that a certain product is not permissible according to dietary laws, there is no other authority in the world who can disagree with that, and those people who observe the dietary laws will adhere to the decision of this rabbinical body. As such we feel that we are speaking on behalf of all those who observe the dietary laws.

The CHAIRMAN. This statement to which I have referred, and quoted, was made by Mrs. Christine Stevens, who favors this bill; that is, the Senate bill, as well as H. R. 8308. I again point to her statement that—

the Rabbinical Assembly of America and the Hebrew congregation, which is the reform group, are in favor of and support this measure, as is indicated by the letter the gentleman put in the record. Those groups, including the American Jewish Committee and the American Jewish Congress, agree with the amendment, as the gentleman has it, and they say it makes this a good bill.

You say that the testimony of the American Jewish Committee is opposed?

Mr. LEWIN. Unequivocally.

The CHAIRMAN. So that Mrs. Stevens must be in error?

Mr. LEWIN. Absolutely. As far as the American Jewish Congress is concerned, Senator, I would like to tell you that the American Jewish Congress is an organization composed of various organizations. I have been specifically authorized to speak today; among the organizations supporting my statement are the religious Zionists of America, and then there is the Poale Agullath Israel. These two organizations are members in the American Jewish Congress. And they are unequivocally opposed to the bill. It seems that amongst the American members of the Jewish Congress are others who support the original idea, but it does not mean that the entire American Jewish Congress as an organization composed of various bodies is—

The CHAIRMAN. Do you know whether or not a resolution was passed?

Mr. LEWIN. To my knowledge there was no resolution passed. The American Jewish Committee passed a resolution against it. And this is proven here by the statement which I submit to you now. You have undoubtedly received it by mail. This is a copy of an official document.

The CHAIRMAN. Do you ask that it be put in the record?

Mr. LEWIN. Yes.

The CHAIRMAN. It will be filed in the record for reference. (The document follows:)

STATEMENT FILED BY THE AMERICAN JEWISH COMMITTEE

The American Jewish Committee was organized in 1906 and incorporated by special act of the Legislature of the State of New York in 1911. Its charter states:

"The objects of this corporation shall be to prevent the infraction of the civil and religious rights of Jews in any part of the world; to render all lawful assistance and to take appropriate remedial action in the event of threatened or actual invasion or restriction of such rights, or of unfavorable discrimination with respect thereto * * *."

Jewish tradition and practice for the past 35 centuries have required humane treatment of animals. Our Bible imposes numerous restrictions and injunctions upon man's treatment of his domestic beasts of burden. Domestic animals, like human beings, must be rested on the Sabbath. The farmer is directed to feed and water his livestock before he sits down to partake of his own food. A weak animal is not to be yoked to a stronger beast. The ox, when he is working in the field, is to be unmuzzled so that he might partake of the grain.

The regulations on slaughtering animals for food—known in Hebrew as shehita—are all intended to secure the utmost humanity for the animal while simultaneously safeguarding the quality and wholesomeness of the product. Jews who observe the dietary laws are enjoined from eating meat slaughtered by any other method. And, hence, any legislation which might interfere with this age-old practice would visit severe hardships upon law-abiding citizens and would interfere with their religious freedom.

Obviously, Jews cannot and will not oppose rules and regulations for the humane treatment of animals. This, as we have said, is in the best tradition and required by the religious teachings of Judaism. A problem, however, arises in connection with determining what constitutes humane methods of slaughter and humane methods of handling animals to prepare them for slaughter. The proposed legislation (S. 1497, identical with H. R. 8308, passed by the House on February 4, 1958), confuses the slaughtering procedures and the pre-slaughtering handling of animals necessary to bring them into position to be slaughtered. A further difficulty with the proposed legislation is that it defines as humane methods of slaughter which, in fact, may not be humane. Finally, the proposed law is, in our opinion, unenforceable.

1. Section 2 (a) of the proposed bill, if read literally, would appear to proscribe all methods of bringing the animal into position for shehita, since the animal must, according to that section, be rendered insensible to pain "before being shackled, hoisted, thrown, cast, or cut." On the other hand, according to Jewish tradition and practice, the animal must be healthy, alert, and conscious at the time the shohet's knife is applied to his carotid artery. One might well ask how a healthy, alert, and conscious steer can be induced to await the slaughterer's knife unless he is thrown, cast, or immobilized in some way. Thus, the exception provided in section 2 (b) of the proposed bill for "slaughtering in accordance with the ritual requirements of the Jewish faith" may not, in fact, provide for any known method of handling the animal which will be both legal and effective to bring him into the position for such ritualistic slaughtering.

2. Section 2 (a) of the proposed bill specifies that an animal must be rendered insensible to pain "by a single blow or gunshot, or an electrical, chemical, or other means that is rapid and effective," but does not specify what should be done to the animal in the event that the single blow or gunshot does not, in fact,

render it unconscious. According to the Department of Agriculture, electrical stunning does not always bring about unconsciousness and makes it difficult, if not impossible, to determine by proper examination of the carcass, if the animal had been healthy. According to other authorities, the chemical process has been found practicable only in the case of hogs, and even there, its effectiveness is questioned. Some authorities are of the view that cattle rendered insensible to pain by asphyxiation have been exposed to great suffering. The divergent views among the experts were described by Dr. M. R. Clarkson, Deputy Administrator of the Agricultural Research Service when he testified for the Department of Agriculture on May 9, 1956, before a subcommittee of this committee. (See hearings on S. 1636, May 9 and 10, 1956, 84th Cong., 2d sess., pp. 6-7.)

3. Finally, the American Jewish Committee believes that the legislation as now drafted, is impossible of application and enforcement. What is the slaughterer to do if his single blow does not render the animal insensible to pain? Is the animal to be permitted to suffer? Is the slaughterer to strike again? Which act violates the law—permitting the animal to suffer or striking a second blow?

Competent authorities have expressed the view that electrical stunning may not always render the animal unconscious. The desired result can be accomplished only by the use of the proper balance of electrical voltage and time. However, this fine balance may not always be attained under the practical conditions which exist in the slaughterhouse. At what point has the animal been rendered insensible to pain?

Furthermore, inspection procedures must be geared to high-speed operations which prevail in our large packinghouses. Any situation, such as electrical stunning, which creates uncertainties in the inspection system, may well be a serious threat to the public health.

We should like to make one other point. Conceding the best intentions and highest ideals to the sponsors and supporters of this legislation, both within and outside the Congress, the leaders of the orthodox Jewish community, rabbinic and lay, have grave reservations concerning this legislation. First, they fear that shehita, recognized as one of the most humane methods of slaughter, may be directly threatened by the ambiguities and uncertainties now in the bill. Second, the Jews have had some sad experiences with humane-slaughter legislation, even where it expressly recognized the humaneness of the Jewish method. In Switzerland, in Poland, in Austria, in Germany, and in other European countries, laws which originated as humane-slaughter legislation were eventually perverted and extended to prohibit shehita entirely. Certainly, these fears and concerns are not irrational; they should be taken seriously into account in any deliberations involving this type of legislation.

In view of these facts, the American Jewish Committee agrees with the Department of Agriculture that "this is a field in which education and cooperation will bring more satisfactory results" than "mandatory Federal legislation" (hearing, *supra*, p. 6). We therefore urge that further study, research, consideration, and evaluation be given to this subject before the Congress enacts legislation prescribing and proscribing methods of slaughter which may adversely affect religious rights and privileges. To this end we join the Department of Agriculture in supporting the establishment of an appropriate committee to study methods of slaughter of livestock and methods of handling of animals prior to slaughter, for the purpose of improving and bringing about more efficient and humane methods of both handling and slaughtering animals for human consumption. At the same time, such a committee must be concerned to safeguard and protect the religious rights and privileges of Jews. In the meantime, the proposed bill should not be enacted.

The CHAIRMAN. I wish to be fair about this, and put both sides in.

I quote from page 1431 of the Congressional Record of February 4, 1951, in which it was stated by Congressman Multer:

Let me make this crystal clear: While the Rabbinical Council of America, which is a national group of orthodox rabbis, has spoken out as an organization, that organization does not speak for all of its members. All the orthodox rabbis do not take the same position as the Rabbinical Council of America.

The Rabbinical Assembly of America, and the Hebrew Congregation, which is the reform group, are in favor of and support this measure as indicated by the letter the gentleman put in the record. Those groups, including the American Jewish Committee and the American Jewish Congress, agree with the amendment as the gentleman has it, and they say it makes this a good bill.

What have you to say to that statement?

Mr. LEWIN. May I comment on that? Senator, as far as the American Jewish Committee is concerned, you have now proof which will be in your documents.

As far as the American Jewish Congress is concerned, there is a gentleman here who is a member of the executive committee of the American Jewish Congress. He just told me there was no resolution passed.

As far as the Rabbinical Council is concerned, you have on the agenda here, to hear the president of the Rabbinical Council, Rabbi Sharfinan, who is here, and he will tell you.

The CHAIRMAN. Is he a scheduled witness?

Mr. LEWIN. Yes. He will be here today.

The CHAIRMAN. We will get to him. I want to be sure to get it all in.

This statement that you gave me as representing the American Jewish Committee's views, under whose auspices was that prepared?

Mr. LEWIN. The American Jewish Committee. This is a copy of the letter which is undoubtedly in your files already.

The CHAIRMAN. Is that a member of the committee or did he speak for the entire American Jewish Committee?

Mr. LEWIN. The entire American Jewish Committee has officially sent this communication last Friday to this committee, and it must be here. I got from them, officially, a copy. I submitted this copy in order to clarify this question.

The CHAIRMAN. Thank you.

Mr. LEWIN. May I have your permission for Rabbi Teitz to make a few additional remarks?

The CHAIRMAN. Is there anything new that he will add?

Mr. TEITZ. I would like to add something.

The CHAIRMAN. New?

Mr. TEITZ. That is right.

The CHAIRMAN. Proceed.

Mr. TEITZ. Before I make my remarks, I witnessed yesterday, when the hearing was conducted here, and have before me the statement submitted by the humane society. I would like to offer a few comments on their statement.

On page 1 they state:

Methods of slaughtering animals now in almost universal use cause intense suffering and constitute a cruelty repugnant to our national moral code.

Second, methods now commonly used cause an immense economic waste, the burden of which is borne by both livestock producers and consumers.

Third, practical methods of killing animals humanely are available and are economically feasible for even the very smallest packers.

Fourth, it is evident that the packing industry will not end the cruelty and economic waste without compulsion of law.

I would like to analyze these four points. First, the mere statement that there is cruelty in the killing of animals I take issue with. I feel it was grossly exaggerated. I wouldn't call it cruelty because we have standards of morals prescribed by the Bible, and if the Bible permitted the usage of the meat until today without prescribing to wait until certain modern methods will be discovered, we cannot call it cruelty. No one can claim to have higher moral standards than the Bible and our prophets. So it is not a question of preventing

cruelty. I would say it is a method of lessening the pain that may be suffered by animals. Let's get it straight.

Secondly, the second point, that the methods now commonly used cause immense economic waste, and so on. I question whether the packers—not that I am taking them apart—whether those in charge of one of the largest industries of the world need the advice of the humane society or even by the Senate as to how to conduct their business. All the business establishments have experts to advise them and keep on in their research to find new ways and means to produce a better product and how to be more economical. If it is true that there is economy in introducing the new methods, I am sure that the packers would not have to wait until the humane society advises them on that. They would have installed it already.

Third, that practical methods of killing animals are not available. It seems to me that the issue is clouded with many factors not bearing on the issue. It is not a question of economics, it is not a question of cruelty. It is a question, are there new methods available that may lessen the pain of the animals or not? If there are, I say that no question of price, or efficiency of industry, should stand in the way. I as a religious person would abstain from using meat if I would feel that there is cruelty in killing the animal. But if I do eat meat and the Bible permits me to eat meat I cannot call it cruelty, but I will try to find ways and means.

As to the methods that are now introduced: There is a question whether they actually lessen pain of the animal, or whether they merely conceal it from the human eye. But actually, in fact, they add instead of lessening to the pain of the animal. I believe that my colleague, Dr. Lewin, has collaborated on that.

Further, the legislation, the way it is introduced now, takes away freedom of religious practices and substitutes protection. There is a vast difference between freedom and protection. When I am free it means that no one can ask me to account for what I do or how I do it. I can do it as my religion dictates me to. But when I am protected it means that I have to give an account.

This law, while it protects Jewish people, it merely protects; it takes away the freedom. We as a religious group feel that we are here to enjoy freedom and not protection.

May I say that history so far has failed yet to record enactment of such legislation that eventually did not result in propaganda against shehitah, and eventual prohibition of shehitah.

We have a twofold reason in being here today. First, we feel that, perhaps, the Senate will realize the danger involved in such legislation. Yet there is another motive. We would like, at least, that this record, if this is enacted—and we feel that, eventually, it will lead to propaganda—we want our children and grandchildren to look at this record, and not accuse us of being shortsighted or being lulled into protection. Let this record vindicate us; that we have foreseen the great danger involved in this legislation.

Thank you.

The CHAIRMAN. Thank you.

(Mr. Lewin's prepared text is as follows:)

STATEMENT FILED BY ISAAC LEWIN

I. INTRODUCTORY REMARKS

My name is Isaac Lewin. I am a rabbi, a member of the executive committee of the Union of Orthodox Rabbis of the United States and Canada, and professor of history at Yeshiva University in New York.

I am appearing before this committee on behalf of the Union of Orthodox Rabbis of the United States and Canada, the oldest and largest organization of orthodox rabbis in the world. The union numbers, among its members, the world's greatest authorities in the field of Talmudic learning—men whose judgment on questions of Jewish law and ritual is unquestioningly followed by the Jewish community, both within and without the United States.

I am also authorized to speak today on behalf of the following national American Jewish organizations who join in this statement: Agudas Israel World Organization, American Section; Agudas Chabad Lubavitch; Agudath Israel of America; Poale Agudath Israel of America; Rabbinical Alliance of America; Rabbinical Board of Greater New York; Religious Zionists of America (Mizrachi and Hapoel Hamizrachi); and Union of Grand Rabbis.

At the outset, I should like to note that bill S. 1497—identical with H. R. 8308, passed by the House of Representatives on February 4, 1958—is of utmost importance to the religious Jewish community in America, in that it directly affects the Jewish religious method of slaughtering animals for food, shehitah.

It is our opinion that this bill, if enacted, would make the Jewish method of slaughtering animals virtually impossible in the United States. Consequently, it would constitute a grave infringement of religious freedom.

The fact that such legislation is now even being considered by Congress is an unexpected blow to the many citizens of America who are observant Jews. We have never anticipated that it would be necessary for representatives of the rabbinate to come before Congress and defend the right of Jewish citizens to live according to the dictates of their religion. Directly and indirectly, attempts to outlaw the Jewish religious method of slaughtering animals have been made in European countries, but we had always felt certain that such schemes, if suggested in this country, would be summarily rejected.

Unfortunately, cloaked as a heart-tugging plea for humaneness to animals—a principle which all of civilized humanity adopts and which is particularly dear to the Jewish religion (as I will prove later in this statement)—under the guise of such universally appealing concepts, the outlawing of shehitah is now being attempted in the United States. We do not doubt the sincere intentions of the Members of Congress who sponsored this legislation. We must, however, emphatically oppose S. 1497 on the grounds that it is bound to violate the religious freedom of Jews in America.

II. ANALYSIS OF THE BILL

Section 2 (b) of the proposed bill finds "slaughtering in accordance with the ritual requirements of the Jewish faith or any other religious faith that prescribes a method of slaughter whereby the animal suffers loss of consciousness by anemia of the brain caused by the simultaneous and instantaneous severance of the carotid arteries with a sharp instrument" to be humane.

However, only the slaughtering itself—the actual cutting of the throat of the animal—is the act found to be humane. Section 2 (a) speaks of "rendering insensible to pain by a single blow or gunshot or an electrical, chemical, or other means that is rapid and effective, before being shackled, hoisted, thrown, cast, or cut." Obviously, shackling, hoisting, throwing, and casting the animal before slaughter, even if such slaughter is to be done in accordance with the ritual requirements of the Jewish faith, will have to be done along the lines of section 2 (a).

Section 6 of S. 1497 provides that "nothing in this Act shall be construed to prohibit, abridge, or in any way hinder the religious freedom of any person or group to slaughter and prepare for slaughter of livestock in conformity with the practices and requirements of his religion." Obviously, again, this exception clause is no safeguard for "shackling, hoisting, throwing, or casting" before slaughter, because section 2 (a) of the bill applies to these four preparatory acts. The protection granted by section 6 would go into effect only if it could

be proven that these are part of the "practices and requirements" of religion. Actually, the Jewish religion prohibits the stunning—any stunning—of the animal before the cut. It would be possible to prohibit shehitah simply by requiring that not the cut, but the handling of the animal before the cut, be done in accordance with section 2 (a) of the bill.

That this interpretation is to be anticipated, in case of the enactment of the bill, is clear from various official statements made during the legislative history of this proposal. In the report (No. 706) of the Committee on Agriculture of the House of Representatives accompanying H. R. 8308, the forthright and unambiguous language says, "It is to be noted that the approval given to slaughtering in connection with the practices of a religious faith does not necessarily extend to the handling of livestock in connection with such slaughter."

The Department of Agriculture, which is to execute the bill, noted the following in an official memo of February 4, 1958 (Congressional Record, Feb. 4, 1958, p. 1442):

"Slaughtering in connection with the practices of a religious faith is declared to be humane, but it is not clear whether the handling of livestock in connection with such slaughtering must conform with the stated public policy—this would require all such livestock to be rendered insensible prior to slaughter, contrary to most religious laws."

In its most recent communication to the chairman of the Senate Committee on Agriculture and Forestry, dated April 15, 1958, the Department of Agriculture writes:

"Under paragraph (b) of section 2 of the bill, slaughtering in conformity with the ritual requirements of the Jewish faith is found to be humane. It appears from the language of this paragraph that the description of this method applies to slaughtering only, and not to handling animals in connection with slaughter, in which case the handling of the animals would have to be in compliance with a method designated and approved by the Secretary under section 4 of the bill. During the discussion in the House, it was stated that the provisions of paragraph (b) of section 2 'are not intended to deny the Department of Agriculture the right and power to prohibit any form of shackling and hoisting of conscious animals' and that 'it is not, however, intended to and does not give the Department of Agriculture any right or power to restrict or prevent the use of the Weinberg or revolving pen' (vol. 104, Congressional Record, p. 1430, daily edition, Feb. 4, 1958). The Weinberg device is not used commercially in this country and this Department has no firsthand knowledge of its practicability in high-speed plants. Nor does this Department have any firsthand knowledge of facts upon which to base a decision as to the humaneness of the use of this device. In order for the Department to designate and approve the Weinberg pen as a humane method of handling animals in connection with slaughter, therefore, it would be necessary to determine whether the device meets the criteria of the public policy set forth in the bill.

"It is not clear what effect, if any, section 6 of the bill would have upon this situation. Section 6 provides that: 'Nothing in this Act shall be construed to prohibit, abridge, or in any way hinder the religious freedom of any person or group to slaughter *and prepare for the slaughter* of livestock in conformity with the practices and requirements of his religion.' [Italics supplied.] In view of the language of sections 2 and 6 of the bill, the remarks made during the discussion of the bill in the House, and the lack of knowledge with respect to the Weinberg pen, it is difficult for this Department to determine what administrative action would be appropriate if this bill becomes law."

It is manifestly clear that the Department of Agriculture would be authorized, and, possibly, even bound, to prohibit the accepted methods of handling the animal before shehitah. This should not be construed, and we most categorically, at this opportunity, deny the allegations that shackling, hoisting, throwing, and casting the animal before shehitah are, per se, inhumane. On the contrary, since any major injury to the animal would, according to Jewish law, make it unfit for consumption ("terefah") handling before shehitah must be done with extraordinary care.

III. THE HUMANENESS OF SHEHITAH AND OF PREPARATIONS FOR SHEHITAH

In order to clarify the approach of Jewish law toward the process of killing animals for food, we must present some of the basic religious prescriptions concerning this matter.

The slaying of an animal for food is a religious rite. The official who performs shehitah must be specially trained, be of good character, and remain

under the supervision of a rabbi. Those whose hands tremble may not act as *shochtim* (ritual slaughterers). Those who violate Jewish religious law or even have a bad reputation are ineligible for such positions. Before proceeding to slaughter, the *shohet* must recite a benediction just as is required before the performance of most other religious functions.

The cutting of the throat must be done with a single swift and uninterrupted sweep of a knife which must be more than twice as long as the width of the neck of the animal. The trachea, oesophagus, carotid arteries and jugular veins must be severed with the one continuous, to and fro motion of an exceedingly sharp and perfectly smooth knife. The edge of the knife must be flawless, without the least perceptible unevenness, indentation, or roughness. The knife must be examined twice; once before slaughter and again after killing the animal. If any unevenness or the minutest nick is found, the animal is considered improperly slaughtered, and the meat may not be used for Jewish consumption.

The animal must be brought into a proper position before *shehitah*, because the following five details must be stringently followed:

1. *Shehiah*—no pausing is permitted. The incision must be continuous until all the vital parts are severed. An instant pause, whether voluntary or involuntary, renders the slaughtering improper.

2. *Derasa*—no pressing upward or downward is permitted.

3. *Chalada*—no burrowing is permitted. The knife may not be introduced under the skin. The incision must be free, open, and exposed, so as to drain the brain quickly and thus render the animal unconscious immediately.

4. *Hagrama*—no deviation is permitted. The incision must be made in the prescribed region of the neck.

5. *Ikkur*—no laceration is permitted. The cut must be a clean one, not a tear.

It is and has always been considered obvious, beyond the least shadow of a doubt, that these regulations are meant to obviate any unnecessary pain. They follow the three traditional precepts of surgery, that an operation be performed *citu, tuto et iucunde*—quickly, with certainty, and with a minimum of suffering. The same view is taken as regards the preparations for slaughter. Though there be no such specific regulations as regards preparation, it is clear that any affliction of pain to the animal is prohibited, any such injury might render the animal unfit for Jewish consumption.

In this connection it would be worthwhile to mention the fact that hundreds of the greatest authorities in the field of physiology, pathology, and anatomy have investigated all phases of *shehitah* and found it most humane. I already cited many of their written testimonies to this effect when I had the honor of presenting our viewpoint before the committee of the House of Representatives. I should now like to add only one new statement by an eminent American scientist, Dr. H. H. Dukes, Professor of Veterinary Physiology and Head of the Department at the New York State Veterinary College, Cornell University, in Ithaca, N. Y., dated March 26, 1957. Professor Dukes writes in his statement as follows:

"I have seen more than 100 cattle and a large number of sheep and calves slaughtered by *shehitah*, the Jewish method of slaughter. The observations were made in several slaughter houses, two of them large establishments in New York City.

"In my opinion the method is humane. This opinion is based on (1) detailed observation of the method in all its aspects, and (2) careful observation of the animals before, during, and after the cutting of the throat. The visual observations have been supported by the making of several motion pictures, some of them in slow motion.

"The cutting of the throat in *shehitah* is done with a large, very sharp knife with an edge of great smoothness. The incision is a very large one, quickly and skillfully made by the ritual slaughterer. Among the structures of the neck that are severed are the carotid arteries and the jugular veins. An immediate outpouring of great quantities of blood occurs from the heart ends of the severed vessels. In most cases there is very little bleeding from the head ends of the severed vessels.

"In my opinion the suddenness and the magnitude of the hemorrhage almost immediately reduce the blood flow through the cerebral vessels to the point where consciousness would no longer be possible. It is most unlikely that consciousness would be maintained by the small blood flow through the vertebral arteries (which are not severed by the cut but which in ruminants supply little blood

to the brain anyway). It should be pointed out that consciousness does not necessarily imply pain.

"The cutting of the throat is done so quickly and skillfully that the feeling of pain as a result of the cut is improbable. At the most, any pain felt would be momentary, for the animal must quickly pass into unconsciousness from inadequate blood supply to the brain.

"The contractions of the muscles of the animals, including struggling and sometimes convulsive movements, following the cut have nothing to do with consciousness or pain. They are caused by the action of nerve centers in the brain stem and spinal cord, levels of the nervous system below the cerebral cortex. These centers are at first excited by the lack of blood supply and send out nerve impulses to the muscles they govern. The reaction of these nerve centers to lack of blood supply and oxygen is well known to physiologists and is in no way concerned with consciousness and pain.

"An uninformed person watching the reactions of an animal dying from severe hemorrhage could draw erroneous conclusions with respect to consciousness and pain. The correct interpretation of the reactions requires fundamental knowledge of the anatomy and physiology of the animal, particularly as applied to the circulation, respiration, and nervous system.

"Many physiologists and veterinarians in past years have declared that in their opinion shechitah slaughter is humane. I join in this assertion."

This statement by such an eminent American scientist is, of course, of noteworthy importance. May I only add that Professor Dukes has just recently submitted to the Research Institute of Religious Jewry in New York a preliminary report on studies conducted by him and two assistants, Mr. A. J. Williamson and Mr. L. L. Nageroni, on blood pressure and blood flow in animals killed by the Jewish religious method of slaughter. In this report Professor Dukes writes as follows:

"It can be concluded that the rate in fall of pressure in the artery is such that within 2 seconds the pressure has dropped to approximately one-third of its normal value. This is presumably below the level necessary to maintain consciousness, although no levels of pressure as such have been set as standards in animals."

One might venture to say that there is no other method of slaughter known which produces unconsciousness within 2 seconds.

IV. ON OTHER METHODS ADVOCATED BY S. 1497

S. 1497, in section 2 (a), provides that rendering the animal insensible to pain by a single blow or gunshot or an electrical, chemical or other means that is rapid and effective is humane.

But a careful and detailed examination of all the methods advocated by S. 1497, if conducted in a scientific manner, free from the overwhelming emotional appeal of the bill, leads to the conclusion that the bill is entirely illusory and impractical.

First, the single blow or gunshot is an unacceptable method of stunning. The Department of Agriculture, if at all consistent, would have to reject all instruments now used in the slaughterhouses for such purpose if the provision were to be enforced. The Department unequivocally judged this method unacceptable both in its letter of February 4, 1958 (inserted in the Congressional Record of that day, p. 1442), and its recent communication to the Chairman of the Senate Committee on Agriculture and Forestry of April 15, 1958. In this recent letter the Department writes:

"No method is known which will render all animals insensible by a single blow or gunshot without failure from time to time during continuing operations. The knocking hammer, the mechanical stunner, and the captive bolt pistol are the three instruments involved. Any one of these, when properly used, will render an animal insensible to pain by a single blow or gunshot in most cases, but not in all, partly because of human error and partly because of the unpredictable movements of the animals. Other factors involve mechanical failures and such things as age and type of animal. It appears from the discussion of the bill in the House that the proponents of the bill believe that the use of the mechanical stunner and the captive bolt pistol would be in accordance with the bill. As pointed out above in this paragraph, however, these instruments would not meet the standards set forth in the general description in paragraph (a) of section 2 of methods found to be humane, since these instruments do fail to stun some animals with a single blow. It also appears from the dis-

cussion that it is believed the knocking hammer would not comply with the bill. Of course, the knocking hammer has the same deficiencies as the mechanical stunner and the captive bolt pistol, although apparently to a somewhat greater degree."

Second, as for electric stunning, the situation is yet worse confounded. It seems most probably true to say that electric stunning is neither humane nor practical.

According to two German professors, Walter Jacobi of the University of Jena and George Magnus, dean of the Medical Faculty of the University of Berlin, electronarcosis may occasion extensive alterations in the category of blood and fluid supply to the brain. Prof. Jellinek of the University of Vienna found pathological histological changes in the central nervous system as a result of the sudden impact of electric currents. A common result of electronarcosis, noted by many investigators, is vertebral fracture. This may be caused either by the sudden severe contraction of the muscles of the back produced by the electric current, or by the fall of the suddenly weak animal.

The desensitizing effect of electronarcosis is very doubtful. True narcotics cause tonic tension of the muscles and their desensitizing effect continues for another 10 to 20 minutes after withdrawal of the narcotic. When an electric current is applied these notable indications of a true narcotic are absent in a physical sense; on the contrary, rigidity of the muscles and spasms set in. These, added to the inability of the animal to move, seem to the uninitiated to indicate insensibility. Animals treated in this manner are fully conscious the moment the electric current is disconnected. Electronarcosis, according to important scientists, produces a convulsive condition preventing the animal from manifesting signs of pain, although it has actually not lost consciousness.

I would like to quote specifically the following statement by O. E. Longley, member of the Royal College of Veterinary Surgeons and Research Fellow of the Universities Federation for Animal Welfare, Burdon Neurological Institute, Bristol, England, who wrote in the *Journal of Mental Science*, vol. 95, 1949, as follows:

"It might be thought that the fact that the head of the animal is invariably in circuit affords a guaranty of the induction of unconsciousness. This, however, does not follow, for it is also requisite that the magnitude of the current passed shall be adequate. And it is a relevant fact that the voltage applied to pigs is considerably lower than that used in the (otherwise comparable) practice of electro-convulsive therapy in man. In man, voltages of the order of 100 and upward are applied, whereas in the abattoir voltages of the order of 70 are preferred, since the higher rating (employed initially) was found to result in bone-fractures, which depreciate the value of the carcass on account of the consequent hemorrhage (Anthony 1932). The important difference vitiates comparison between the two procedures, because, even assuming that the electrical resistance is the same in man and the pig, the current density in the case of the pig is not less than 30 percent lower and approaches the threshold value for effective action.

"It is this lower voltage that necessitates the considerably longer application of the current in abattoir practice, in accordance with the strength-duration requirements discussed by Hemphill and Walter (1941), the formal practice being to retain the electrodes in position for some 10 seconds or more. This is itself a dubious recommendation from the humane angle, and it is evident from the reports of more than one of the official scientific adjudicators of the method that they consider the time factor both critically important and liable to receive in practice too little respect (Dryerre and Mitchell 1934).

"This present writer would go further, and say that this particular feature justifies condemnation of the procedure described. For if the above premises are admitted, and they are hardly controvertible, commonsense reasoning suffices to prove the method inhumane in a significant proportion of animals.

"Accepting for the sake of argument that the procedure followed provides adequate anesthesia in the majority of pigs, and recognizing also that the electric resistance of animals varies widely not only with size, but with the individual constitution of the animal, it is only necessary to correlate the requirements of the case, with the general routine of the slaughterhouse to realize the inevitability of failure in a proportion of the pigs slaughtered. Now, the period of application of the electrodes is in actual practice left entirely to the discretion of the slaughterman. It follows inevitably (1) that this being a matter of judgment, the human element will determine a number of failures in all sizes and conditions of animals; (2) that from the nature of things, this time-period will be

computed in terms of the average animal; (3) that human nature and commercial requirements being what they are, this period will furthermore tend toward the minimum, a tendency which will be aggravated by conditions of piecework. These formulations can lead to one, and only one, conclusion: that in the case of all animals having a higher resistance to the passage or action of the current than the average (low average) the humane requirements will not be met. These animals certainly suffer motor paralysis, but they are not anesthetized."

Moreover, another reason for rejecting electric stunning of animals is the fact that such stunning precludes any examination of the carcass. In this respect I should like to quote a statement issued jointly on March 26, 1956, by the American Humane Society and the American Meat Institute:

"Considerable effort and money was expended in endeavoring to develop and apply electrical stunning in the American meatpacking industry. Unfortunately, the endeavor was not successful.

"The application to cattle, after considerable preliminary developmental work, resulted in disfiguration of the loin due, apparently, to the bursting of minute blood vessels. In appearance, the eye of the loin on quartering the side revealed a myriad of small red dots in about 7 percent of the animals which were stunned with electric current. By reason of this appearance the value was drastically reduced, and the application of electric current could result in serious economic loss to livestock and producers, meatpacking industry, and consumers.

"In the application of electric stunning to hogs, difficulty was encountered when the Meat Inspection Branch of the United States Department of Agriculture found a large percentage of lungs with markings or lesions which were indistinguishable from those present in the early stages of certain diseases. As a result, the Federal Meat Inspection Service stated that if hogs were stunned electrically, a large percentage of carcasses would be condemned which were otherwise sound and wholesome.

"The effort to apply electrical stunning to the hogs was continued by varying and current and the method of application, without favorable results. As a further measure, the industry retained Dr. J. B. Simonds, professor of pathology at Northwestern University, to undertake a study to determine whether a type of current might be found which would not cause the markings or lesions in the lungs or to ascertain a practicable method for distinguishing between the markings caused by stunning and those which were due to the incipient stages of disease. Dr. Simonds spent several years in this effort, but, unfortunately, was forced to the conclusion that, first, no current was found which would not induce the markings in the lungs and, second, there were no obvious distinguishable characteristics between the markings caused by electric stunning and those due to disease.

"In all of the long research and experimentation with electrical stunning, the representatives of the humane societies were apprised regularly of the results, and the subject was reviewed thoroughly at each stage of the development.

"This experience taught a lesson about the danger of coming to an impulsive and premature conclusion about any proposed new method of slaughter. It might be pointed out that several European countries adopted legislation to require new methods of slaughter, but already one of the countries, i. e., Denmark, has found it necessary to suspend its law."

Third, as to chemical stunning, it must be said that investigation of this method is yet far from warranting even a tentative scientific evaluation. It consists of the following procedure. The animals are conveyed through a tunnel where they are subjected to carbon dioxide gas. Consequently they lose consciousness. The danger here is twofold: (1) any underexposure to the gas does not produce unconsciousness, but only succeeds in increasing the suffering of the animal; (2) any overexposure causes death by asphyxiation. Consumption of meat of asphyxiated animals surely has a detrimental effect on health.

Experiments made by the Agricultural Marketing Service of the Department of Agriculture in the use of carbon dioxide to stun turkeys before slaughter pointed up the risks involved in this method. Slight overexposure induced violence, muscle spasms, or wild behavior of the birds, and this was quickly followed by collapse.

It is significant that about 10 years ago the American Meat Institute suggested experiments in the use of gas—carbon dioxide or nitrogen—to the representatives of the Humane Association as a means of inducing unconsciousness in livestock, and the Humane Association then unequivocally rejected chemical stunning as definitely inhumane.

We can very well understand the opposition of the Department of Agriculture to humane slaughter legislation. In order to enforce such legislation, the Department must know of available methods that meet the criteria set up by the bill. No such methods now exist.

Other than the Jewish method, recognized by all leading experts as truly humane, no available stunning method can be scientifically judged as humane and practical. This entire question is the result of highly charged emotional propaganda disseminated by the Societies for Humaneness to Animals who consciously avoid their gaze from the other flagrant cruelties perpetrated on animals, and wage a bitter battle on the scientifically insupportable, though fundamentally appealing ground, of preventing "cruel slaughter."

There are many aspects of brutal treatment of animals which rather deserve the attention of the humane societies. Let me present only a few examples:

Hunting causes immeasurable needless suffering to animals. Poor shots often maim wild animals, and the trapped beasts are usually exposed to excruciating pain.

Castration is often perpetrated by an insufferably severe operation; cattle are branded with a hot iron for identification, often repeatedly; horned cattle have their horns removed early in life; lambs have their tails cut off for sanitary reasons; unweaned calves are deprived of food for long periods of time in transit and market places; rings are forced into hogs' noses to prevent rooting; portions of ears are cut away for identification.

It is to these terrible situations that the Senate should turn its attention, and not to S. 1497, a bill with no justification in reason and no effect in practice. This bill calls for methods that in reality aim to satisfy the conscience pangs of the viewer of animal slaughter, instead of approaching the problem from the view of minimizing the pain of the animal itself.

V. THE DETRIMENTAL CONSEQUENCES OF ELECTRICAL AND CHEMICAL STUNNING ON THE HEALTH OF THE MEAT CONSUMER

An extremely important argument against enactment of S. 1497 has recently been raised by the Department of Health, Education, and Welfare.

In an official communication to the chairman of the Senate Committee on Agriculture and Forestry, dated April 23, 1958, Mr. Elliot L. Richardson, Acting Secretary of Health, Education, and Welfare, wrote as follows:

"Electrical means for stunning or killing animals can result in the formation of toxic substances in the tissues of the beasts so treated. In that event, such tissue would be adulterated and unfit for human consumption. Furthermore, the killing of a beast or rendering it unconscious through the administration of drugs or chemicals can result in residues of these substances in the edible portions of the animal, thus causing those portions to be adulterated. Adulteration could, perhaps, also result from some of the 'other means' that might be authorized by rendering the animal insensible."

VI. THE ECONOMIC CONSEQUENCES OF S. 1497

S. 1497 will, if enacted, cause very serious economic disturbances within the United States.

The individual consumer will find himself paying a higher price for meat, which will, most probably, be segregated into three categories: (a) coming from slaughterhouses, with humane methods; (b) meat originating from abattoirs using the religious method; and (c) meat from slaughterhouses where inhumane methods are used.

The United States Government will, according to S. 1497, be restricted in its discretion to buy meats for the Army. No wonder then that the Department of the Army has officially asked the Senate Committee on Agriculture and Forestry, in its letter of April 8, 1958, to make this bill inapplicable to the purchases of the Department of Defense.

The Department of the Army writes as follows:

"The Department of Defense procures an estimated 2 percent of the national production of livestock and a large percentage of contract awards are made to small-business firms. The requirements of section 3 would restrict competition, cause increased prices and could result in supply failure. No stunning device has been developed which would enable a packer to certify that all the animals slaughtered have been rendered insensible by a single blow or gunshot since these methods have been known to fail to stun each and every animal. If elec-

trical or chemical means are prescribed as humane by the Secretary of Agriculture, it will take time for industry to obtain and install needed equipment. Modification of buildings may be required for installation of gas chambers and similar devices. Small-business firms may be faced with capital expenditures which they cannot afford. Larger packers, for whom Government supply represents only a small percentage of their production, might be willing to forego this percentage rather than to make expensive changes in their systems or install methods, which could, after the further research provided for in the bill, be found to be unacceptable to the Secretary of Agriculture.

In addition to the possible effect on supplies for troop feeding, complications could result in the overseas procurement of livestock products for resale overseas. The bill as written makes no exceptions for overseas purchases. While it is understood that many foreign countries have laws relating to the humane slaughter of livestock, the methods prescribed may or may not conform to the methods found acceptable by the Secretary of Agriculture.

For the foregoing reasons it is recommended that either section 3 be eliminated from the bill or that the bill be made inapplicable to purchases by the Department of Defense.

The fiscal effects of this legislation are not known to the Department of Defense. The bill, if enacted into law, will require slaughterers and processors to incur additional expenses. It can be assumed, therefore, that a proportionate part of these additional expenses will be included in the contract prices of any livestock products purchased by the Department of Defense. The budget for fiscal year 1960 will have to include provisions to cover these additional expenditures."

This reaction of the biggest single buyer of meat in the United States—the United States Government—is very significant. It stands out as an incontrovertible representation of the detrimental consequences S. 1497 will have on our economic life.

VII. THE JEWISH TEACHINGS CONCERNING KINDNESS TO ANIMALS

So that our opposition to S. 1497 be not misinterpreted, and we be not accused of opposing to humane treatment of animals, I should like to review briefly the position of the Jewish religion toward animals.

"When the Sabbath Day was promulgated on Mount Sinai, not only were the slave, the maidservant, and the stranger remembered, but also the inarticulate creatures, the beast of burden and all the other animal workers: 'Thou shalt not do any work * * * nor thine ox, nor thine ass, nor any of thine animals' (Deuteronomy 5: 14). And, lest it be thought that the reason for letting the animals rest was in order to allow the master to rest as well, another verse makes it clear that the rest is for the animal's benefit: 'On the seventh day thou shalt rest, that thine ass and ox may rest' " (Exodus 23: 12).

The Laws of Moses teach us that we should be careful not to cause animals any distress while they work. Hence the command (Deuteronomy 25: 4): "Thou shalt not muzzle the ox when he treadeth the corn," which means that you shall not allow an animal to suffer by preventing it from partaking of the food which it is in the very act of preparing for your own consumption.

The Bible said (Exodus 23: 4): "If thou see the ass of him that hateth thee lying under its burden, thou shalt forbear to pass by him; thou shalt surely release it with him." And the Talmud added that this precept is in force whether the owner of the weak animal be a Jew or non-Jew, a righteous or a wicked man; in any case one must come to its aid (Baba Metzia, 32a). This is a basic regulation of Jewish law, included in the legal code, Shulchan Aruch (Choshen Hamishpat, art. 272).

The Laws of Moses teach that the wild animals also should share in the produce of the land in the sabbatical year:

"And the sabbath produce of the land shall be for food for you: for thee, and for thy servant and for thy maid, and for thy hired servant and for the settler by thy side that sojourn with thee. And for thy cattle and for the wild beasts that are in thy land shall all the increase thereof be for food" (Leviticus 25: 6, 7).

The Bible teaches that a man's character may be known from his treatment of animals.

The Book of Proverbs characterizes a righteous man as one who feels so much for his animals that he almost knows their thoughts. "The righteous man knows the soul of his beast." (Proverbs 12: 10)

In the Talmud, we find the stress laid again and again on kindness to animals, which is called a divine command.

According to the Jerusalemite Talmud (Ketuboth, IV:8), no one may buy cattle or poultry unless he has prepared food for the beings he is purchasing. The Babylonian Talmud (Berachoth, 40a) states that the owner of an animal may not eat before his beast had been fed, and bases its regulation on the Biblical passage (Deuteronomy 11:15): "And I will give grass in thy fields for thy cattle, and thou shalt eat and be satisfied." The sequence of this Biblical quotation shows clearly that it is the cattle which must first be fed.

Talmudic literature says of Moses, the first and greatest leader of the Jewish people, that only after he proved his kindness to animals did God accept him as His divine messenger to the Jewish people (Mishash Shemoth Rabba 2:2).

The concept of prevention of cruelty to animals is the fundamental behind Jewish law's opposition to hunting of animals for pleasure. The Babylonian Talmud (Avoda Sara, 18b) interprets the opening words of the Psalms, "Blessed is the man who has not followed the advice of the wicked and has not stood in the paths of sinners" as referring to those who do not hunt animals.

According to a standard medieval ethical work, *Sefer Chassidim* (Book of the Saints), "man will be called to account for any pain he has caused an animal; e. g., loading upon it a burden too heavy for it to carry, or striking it when it cannot move." Maimonides, the first and greatest Jewish codifier, and a famed physician in his day, in his *Guide for the Perplexed*, declared the following with regard to religious slaughter of animals:

"The commandment concerning the killing of animals is necessary, because the natural food of man consists of vegetables and of the flesh of animals; the best meat is that of animals permitted to be used as food. No doctor has any doubts about this. Since, therefore, the desire of procuring good food necessitates the slaying of animals, the law enjoins that the death of the animal should be the easiest. It is not allowed to torment the animal by cutting the throat in a clumsy manner, by poleaxing, or by cutting off a limb whilst the animal is alive."

VIII. CONCLUSION

Our opposition to S. 1497 is based both on its grave implications for the Jewish religious method of slaughtering and on the impracticality of the legislation. Furthermore, we have reason to fear what the future may bring under such legislation because similar attempts carry with them a very sad tradition.

In European countries such legislation was regularly the forerunner for discrimination against the Jewish population. We do not mean to imply that history must repeat itself in this country so renowned for its fundamental tradition of religious liberty. However, the lesson of history is that laws providing for humane slaughter, even if armed with guaranties for the Jewish method, have resulted in movements against shehitah and against the Jews. Though the proposed legislation be not motivated by anti-Semitic sentiments, the effect of its passage will undoubtedly be a campaign waged by the confused and over-zealous against Jewish ritual slaughter. Recent developments in England prove this point.

A law adopted by the British House of Commons on July 28, 1933, provided for electric stunning of all animals before slaughter, with the clear stipulation that "no person shall be liable for any contravention of these provisions in respect of the slaughter of any animal slaughtered without the infliction of unnecessary suffering by the Jewish method for the food of Jews and by the Mohammedan method for the food of Mohammedans."

The British humane societies, once having achieved this humane slaughter bill, began a vehement campaign for the abolition of the clause on religious slaughter. In 1954 and 1956 bills were already introduced in the House of Commons to this effect.

On December 12, 1956, a vote was taken in the House of Commons. One hundred and thirty-two members voted for a motion leading to the prohibition of religious slaughter by Jews and Mohammedans, 178 voted against it. It is horrifying indeed to learn that such a motion was defeated by only a small majority.

In order to create the necessary climate of public opinion and to encourage such terrible discrimination against Jews and Mohammedans alike, the Royal Society for the Prevention of Cruelty to Animals, the oldest English humane society, published a pamphlet titled "Legalized Cruelty." On the cover is a

drawing of a bearded shohet, armed with a long knife, standing near a Weinberg pen from which the head of an animal protrudes. The Royal Society for Prevention of Cruelty to Animals, in this shameless document of bigotry, calls for the abolition of the gross cruelty perpetrated on cattle slaughtered in Great Britain for Jewish and Moslem consumption, and that by deliberate permission of the law. This demand has been made in regard to the Weinberg pen, which those who favor the enactment of S. 1497 consider the ideal solution. I would daresay that our British friends are not less civilized or less tolerant than we are. Yet barbarity is something which all of civilization abhors, and it is far too easy to gather public support in favor of such an emotionally charged claim of cruelty, though it be used to disguise the more heinous brutality of religious intolerance. An enactment of S. 1497 presents serious fears indeed.

And we can find no positive justification for the introduction of such legislative commands in the United States. It is paradoxical in the extreme, in a country with such a glorious tradition of freedom, to propose that humaneness be enforced under the threat of criminal penalty. It is legally enforced humaneness which often turns out to be most cruel.

Many other countries, looking to the United States for guidance, might understand the passing of S. 1497 to be a green light for the introduction of discriminatory regulations against shehitah. In America, too, State legislatures will soon find themselves under great pressure to introduce restrictions on the Jewish method of slaughter. Some action to this effect has already begun.

The same massive propaganda campaign which has been undertaken with the avowed aim of directing an emotional appeal to the Members of Congress, so as to pressure them, under the guise of humanitarianism and on the basis of grossly exaggerated stories about cruelty perpetuated in slaughtering animals, to vote for this legislation, will soon be directed to State legislators, and possibly continue to be aimed at Congress, with the intention of changing this bill and further restricting shehitah.

We sincerely hope that you will resist the heavy propaganda campaign instituted to enact this uncalled-for legislation and reject S. 1497 which must, if passed, only disturb the religious feelings, impair the religious practice, and deny the religious rights of millions of bona fide, loyal, and honorable citizens of the United States.

STATEMENT FILED BY RABBI ISAAC STOLLMAN, PRESIDENT, AND RABBI ISAAC B. ROSE, EXECUTIVE DIRECTOR, RELIGIOUS ZIONISTS OF AMERICA (MIZRACHI-HAPOEL HAMIZRACHI) NEW YORK, N. Y.

I speak today on behalf of the Religious Zionists of America—Mizrachi-Hapoel Hamizrachi which is an organization of over 25,000 members of the orthodox Jewish faith, which has over 250 branches in 35 cities of the United States; and on behalf of the Mizrachi Women's Organization of America which has 50,000 members in 300 chapters in 40 cities throughout this country. Included among this membership are members of the laity and rabbis, whose concern in all matters which have a bearing upon kosher slaughtering is a very deep and significant one. They are the consumers of kosher meat and other foods who would be gravely affected by any legislative changes which might bear upon ritual slaughter in the United States.

Our organization is, therefore, deeply interested and I must say deeply disturbed with the proposed legislation now before the Congress which is aimed at introducing humane slaughter procedures. As an organization of orthodox Jews, we fully identify ourselves with the deep sense of compassion for all living things which is part of the American spirit, and which seeks to motivate such legislation. Our sacred Scriptures which are recorded as divinely incumbent upon every orthodox Jew to observe, prohibits bringing or causing pain to any living creature. This enjoyment against pain is stressed not only in the sacred Scriptures, but in the Talmud and in all rabbinical commentaries and codes of sacred law which are binding upon our people's faith.

Despite this very strong feeling for humaneness in the treatment of animals, we must oppose the proposed humane slaughter bill now before the United States Senate Committee on Agriculture and Forestry, and specifically S. 1497 as amended, which is the companion bill of H. R. 8308. Should this bill be enacted, an agency of the Government will be responsible for the supervision of religious practices. Certainly, such legislation flouts the fundamental American tradi-

tion prohibiting the Government from interference with the religious practices of any faith.

As an orthodox organization, we are bound to respect the opinions of our rabbinate and its leadership, namely the Rabbinical Council of America and the Union of Orthodox Rabbis of the United States and Canada. In this case, they and all other rabbinic orthodox bodies have declared their forthright opposition to the proposed humane slaughter bill which is now before the United States Senate. Their opposition is underscored by the following factors:

1. The possible effect of such legislation on the right of the Jewish community to practice the basic religious tenet of shehitah (ritual slaughter). This divinely ordained method of preparing animals for human consumption is most humane.

2. Our deep concern is for the humane treatment of all God's creatures as ordained by Scripture and Jewish religious law. Jewish ritual slaughter is the manifestation of divine will instructing humanity that although the act of slaughter is permissible for the purpose of providing food, it must be done according to divine method which acknowledges that the Almighty has created animals for the service of man.

Our opposition to the bill is also extremely forthright because of the experiences with our organization has had in other parts of the world, where legislation has been created or has been attempted in order to provide for humane slaughtering. Unfortunately, they have too often resulted in restrictions being placed upon shehitah—the slaughtering method ordained by the orthodox faith, and have been a source of deep aggravation and injury to orthodox Jewry in general.

For these reasons we respectfully submit and express our opposition to the measures before this committee, dated April 29, 1958.

The CHAIRMAN. Mr. L. Blaine Liljenquist, vice president, Western States Meat Packers Association, Inc.

I notice that you have a written statement. You may proceed in highlighting it or reading it, since it is short.

**STATEMENT OF L. BLAINE LILJENQUIST, VICE PRESIDENT,
WESTERN STATES MEAT PACKERS ASSOCIATION, INC.**

Mr. LILJENQUIST. Thank you, Mr. Chairman.

My name is L. Blaine Liljenquist. I am the vice president and Washington representative of the Western States Meat Packers Association, Inc. I have been in charge of the association's Washington office since 1946. The association has 479 regular and associate member companies. They are independent packers as distinguished from the large national companies. Our president and general manager is Mr. E. F. Forbes of San Francisco.

We appreciate the opportunity to appear before your committee to express our views in opposition to S. 1497 and H. R. 8308. About 200 of our member companies slaughter livestock. They are strongly opposed to the compulsory features of these bills.

I wish to emphasize, however, that our members are very much in favor of using the most humane methods of slaughtering livestock that can be developed at a cost which will allow small packers to compete with their big competitors. The association takes an active interest in publicizing any information to its members which offers possible improvements in the treatment of livestock.

Our members sincerely believe that the so-called new methods of slaughtering have not yet been perfected so as to be within the economic reach of small packers. Rendering livestock insensible by mechanical, electrical, or chemical means before slaughter is undoubtedly a desirable objective that some day may be reached, but to require

it now by legislation would mean economic havoc in the meatpacking industry.

There is much yet to be accomplished through research before the meatpacking industry could possibly be in a position to accept the type of legislation as proposed in the present bills in the Congress.

For example, the cost of treating hogs with carbon dioxide gas to render them insensible prior to slaughter is far beyond the financial reach of the small meatpackers. I understand the carbon dioxide gas chambers for hogs are used by only 1 or 2 large national companies, and that over a quarter of a million dollars was invested for equipment, construction, and installation of these systems in each plant where they were installed. Expenditures totaling only a few thousand dollars are quite impossible for small meatpackers killing only 200 or 300 hogs a week. And there are a good many small packers who don't have a big volume operation on any particular species such as hogs.

Without research on the subject, who can say that a hog does not suffer more by smothering into unconsciousness in a gas chamber than it does by a quick thrust of the knife in the conventional slaughtering method? It is believed that the quick loss of blood causes immediate unconsciousness without any pain to the animal.

The Western States Meat Packers Association has frequently requested the Department of Agriculture to make a survey of existing methods of slaughtering livestock in the United States and to assign a research staff to the problem of devising new methods for slaughtering livestock which would meet the approval of the humane societies and which also would be inexpensive and less injurious to carcass meat than present methods.

The CHAIRMAN. When was that done? When was that started?

Mr. LILJENQUIST. Principally, Senator, since the legislation was first introduced here 2 or 3 years ago. We have been more active, I would say, as a result of the introduction of this legislation to find better methods of slaughtering livestock than before the legislation was introduced.

I feel that the introduction of the legislation in itself has been of tremendous good to the livestock and meat industry in spurring us on to develop new and better ways, and much evidence is already developing that we can find better ways to do this work.

The CHAIRMAN. It is a great pity that it required the introduction of these bills to get you people busy. What progress have you made in the direction of finding more humane methods of slaughtering?

Mr. LILJENQUIST. The stunning instruments that were shown here this morning were developed with the cooperation of the packers, Mr. Chairman. We haven't been totally inactive before the legislation was introduced. There has been a lot of study given to this by committees all down through the years. We haven't made the progress that we should have made, I admit. Our packers no doubt are remiss in not giving greater attention to this particular problem. But now, as a result of the legislation having been introduced, there has been a great upsurge in study and research by the industry to humane methods of slaughtering. I am confident that as these new methods are developed they will be put into use by our industry without a compulsory law.

The CHAIRMAN. You say you started these studies in the last 3 years?

Mr. LILJENQUIST. We have intensified the work since the introduction of the legislation.

The CHAIRMAN. Have you found improvements over the old methods?

Mr. LILJENQUIST. Yes. As a matter of fact, a good many packers are now using these stunning guns which we do regard as an improvement over the old conventional methods which have been in use for so many years.

The CHAIRMAN. What percentage of your packers are using these new methods—I mean of your association?

Mr. LILJENQUIST. Across the country there are over 200 packers that are using these guns. At every convention of the meat industry you will find discussions on humane methods, you will find groups going into packinghouses where these new instruments are being used and tested and observed. Remington, I think, have their gun in at least 200 packingplants in this country already. And they are still, you might say, in the testing and development stage of this instrument.

The CHAIRMAN. The 200 packers to which you refer, are those members of your association?

Mr. LILJENQUIST. I was speaking of all packers throughout the country.

The CHAIRMAN. How many are there throughout the country?

Mr. LILJENQUIST. There are about 2,300 packers that slaughter on a commercial basis.

The CHAIRMAN. And 200 of those are using these new methods?

Mr. LILJENQUIST. I would say at least 200 are using the Remington gun. There are other stunning instruments that are in use. It is pretty hard to know. A complete survey has not been made to my knowledge. But there is great interest in this problem today to bring about the results that we are all eager to achieve.

The CHAIRMAN. Proceed.

Mr. LILJENQUIST. I have been advised by officials in the Department of Agriculture that they have given attention to this request and that it would be feasible to establish a research project on humane slaughtering in the Department if funds for this purpose could be provided.

We must bear in mind that the proposed humane slaughter legislation, if adopted, would add immeasurably to the cost of processing and marketing meat. This added cost for the most part would have to be borne by the consumers through higher meat prices or by producers through lower livestock prices. In any event, the spread between what the farmer receives and what the consumer pays would be widened.

Senator HUMPHREY. May I question as we go along?

The CHAIRMAN. Yes. I have been here since 10 o'clock and we are not quite half through with the witnesses. I hope to come back as soon as possible this afternoon.

Senator HUMPHREY. I want to ask for documentation with reference to that sentence, "In any event, the spread between what the farmer receives and what the consumer pays would be widened."

That is an assertion. What is your documentation? Can you show me where the cost has gone up in those plants to the consumer, and the

price that farmers have received has gone down in those plants where they use humane methods? Can you show me that Hormel charges the consumer more and pay the farmers less? That is in my State and I consider it one of the finest plants in the United States. I think they make a lot of money.

In fact, they do very well. They have a profit-sharing plan.

Their workers are paid better than almost any packinghouse worker in the United States and they have no labor trouble. They do a wonderful job and put out quality products. We eat it all the time; it is very good; and I haven't found it costs one bit more than comparable products.

Is Hormel being charitable to the public and still making money? How do they do it?

Mr. LILJENQUIST. Not at all. As long as we don't have compulsion, and these new methods can be put into effect by the packing operators across the country, competitively, the added cost will not accrue.

I was speaking here in the event compulsory legislation goes through which will require all packers in interstate commerce who sell to the Federal Government to install, for instance, these gas chambers which are very expensive.

A big company like Hormel, which slaughters hundreds and hundreds of hogs a day, has been able to afford the cost of putting in these gas chambers. But a small packer with just a few hundred hogs a week, would have to either forgo the possibility of selling to the Government or go to a great added cost, particularly in old plants.

When you install a gas chamber you have to go into a lot of construction, or reconstruction in your plant. It would be expensive. It would be an added cost which would have to be absorbed, we think, either in higher meat prices or lower payments made to livestock producers.

Senator HUMPHREY. I have never heard a packer ever say that the reason he paid the farmer less is because his operation costs went up. I have heard the classical argument that the reason that beef prices may be down when beef is down on the hoof is because there is an excess of supply and an inadequacy of demand. I have yet to hear before this committee, until the humane slaughter bill came up, any packer ever say that a farmer's price was governed by the overhead costs of the packing industry.

Mr. LILJENQUIST. Senator, a packer is a middleman, and his costs of operation, when they rise, are going to be passed some place. If it is a buyers' market, the cost will go back to the producer.

Senator HUMPHREY. Let's stop there for a minute. You are saying that somewhere along the line if the costs rise at the middleman's level that they will be passed on. I won't disagree with that. But I want to say this: Are you saying that you pay a farmer less when you raise the wage of the president of a large packing company, and they get paid well. Are you going to testify here that what you do is take that out of the hide of a farmer and that you take it off of his cattle? Because that is an overhead cost.

I want to know: When you pay more dividends out, when you raise the wages and salary of your employees, and when you raise

the salaries of the employers, and when you buy new automobiles and whatever for them, do you take this out of the skin of the farmer?

Mr. LILJENQUIST. It depends on the demand and supply situation.

Senator HUMPHREY. That is exactly right.

Mr. LILJENQUIST. If the livestock are in great supply in relation to demand, it would tend to come out of the farmers.

Senator HUMPHREY. That wouldn't make any difference if the employer were on relief. Actually the truth is that what you pay as a packer is supposedly based—that has been your argument historically—on the supply of the animal as regards the demand for the product; isn't that correct?

Mr. LILJENQUIST. True.

Senator HUMPHREY. Let's go on and see what happens. That is on Mr. Farmer. You are not testifying that you drive down the farmer's prices simply because you raise the salary of the president of the company; are you?

Mr. LILJENQUIST. We don't say that.

Senator HUMPHREY. Do you? I want to know. This is very important. Do you drive down farmer's prices when you raise the salary of the manager?

Mr. LILJENQUIST. As distribution costs increase, the spread between what the farmer receives and the consumer pays widens.

Senator HUMPHREY. That may be true. But I want to talk about the farmer.

The CHAIRMAN. I think the witness was addressing himself to very small plants, Senator, where 200, 300, or 400 hogs were killed. You will admit that if the Secretary of Agriculture were to say that the humane method of doing it is by using carbon dioxide, all ought to do that. I believe that is what the witness had in mind. I am sure that that would increase the cost.

Senator HUMPHREY. I don't think that can be verified either, and I don't think the mere assertion of it makes it necessarily the truth.

Here is a knowledgeable witness, and I am a knowledgeable man in this field, so I intend to interrogate him because these are statements which have been made without proof.

You first say to me that livestock prices do not go down simply because your operation costs go up. What you said is that there is a greater spread between what the consumer pays and what the farmer gets. Right?

Mr. LILJENQUIST. That is correct.

Senator HUMPHREY. Do you consider the improved slaughtering methods as a way of reducing unit costs?

Mr. LILJENQUIST. It very well could be.

Senator HUMPHREY. Isn't it true that where they have been used that this has been the case?

Mr. LILJENQUIST. Very possibly.

Senator HUMPHREY. Isn't it true that in companies that have the oldest, most obsolete plants and slaughtering methods, that you have the smallest profit?

Mr. LILJENQUIST. True.

Senator HUMPHREY. Now, what we are advocating, in other words, is improved slaughtering methods which reduce unit costs of slaughtering, which in turn provide greater profit or lower consumer

prices. I say that the record of the plants—and they are not all Hormel-sized, there are smaller plants—that put in humane slaughtering methods is that they have not increased the consumer prices. They have increased the profit and have lowered the unit costs. Now, can you dispute that fact?

Mr. LILJENQUIST. My testimony is to the effect that we will, as an industry, adopt these new improved methods as rapidly as they are found to be effective and within the financial reach of small packers, who must always keep in mind that they are in competition with their large competitors. And as these new methods are developed so that they are economically feasible, they are certainly going to be applied in our industry without a compulsory law.

Senator HUMPHREY. May I say that the record is that that has not been the case; under the threat of compulsion in the last 2 years, as you have testified, the packing industry has done more than they have done in the preceding 50 years in terms of humane methods; is that not true?

Mr. LILJENQUIST. I couldn't say how many years.

Senator HUMPHREY. Then the preceding 20 years?

Mr. LILJENQUIST. It has been beneficial, no doubt about it.

Senator HUMPHREY. Let me ask you: How many plants did you have 2 years ago that used, for example, the stunning instrument?

Mr. LILJENQUIST. Of course these stunning instruments have just been developed in the past 2 years. We have had a thousand percent increase.

Senator HUMPHREY. There were stunning methods used 2 years ago. We had witnesses testify in here, about the Mayer Co. and others, that they were using humane slaughtering methods 2, 3, 4, 5 years ago.

Mr. LILJENQUIST. At any rate, we are going in the right direction and we are making more rapid progress now than we have heretofore made.

Senator HUMPHREY. All this Senator wants to say is that you cannot document for this committee—and if you can I would appreciate it very, very much, and I say that in all sincerity, but I do not believe that you can document by statistical evidence—one, that humane methods will lower the price of beef and pork products to farmers. I don't believe that you can document that it will lower what the farmer gets. Without any of these humane methods the farmers had a rough time.

Two, I don't believe you can document that consumer costs will go up because of improved humane slaughtering methods. I would say to the contrary, that you can demonstrate that these costs will come down.

We do not tolerate in other food establishments uncleanness, inefficiency, and methods that are anything but wholesome just because of cost. The Government of the United States insists on high standards.

Mr. LILJENQUIST. That is especially true in the meat industry.

Senator HUMPHREY. And it is especially true in anything that the Government buys. It is especially true in food products. That is why we have the Food and Drug Administration.

I don't believe that you can justify this inadequacy of slaughtering practices on the basis of what it is going to do to a small business man. As a matter of fact, I come from a small-business man's family, and I want to tell you we find out that small-business men make just as much money as big-business men if they modernize. And it is to their advantage to modernize. Per unit, I am talking of.

Mr. LILJENQUIST. Senator, we intend to modernize. We are greatly concerned with this problem. And believe me, we are going to adopt these improved methods just as rapidly as we can, as they become available and proven to be feasible.

The CHAIRMAN. Proceed.

Mr. LILJENQUIST. But in the case of small packers the added cost of the so-called humane slaughter methods could not be transferred to the producers and consumers. A very large plant, slaughtering thousands of hogs each week, could possibly install the expensive machinery for immobilizing hogs, whereas a small packer, killing only a few head, would find it altogether uneconomical. His competitive position with the large national companies would be adversely affected.

The effect of this legislation, if passed, would be to further concentrate the business of meatpacking in the hands of the large national companies. This would be most detrimental to both consumers of meat and to producers of livestock.

Senator HUMPHREY. How did you stand on the regulation of meat products by the Federal Trade Commission to prevent monopolistic practices?

Mr. LILJENQUIST. We very vigorously support the O'Mahoney-Watkins bill.

Senator HUMPHREY. You do?

Mr. LILJENQUIST. Yes, sir.

Senator HUMPHREY. I want to commend you. We have been told that there were many packers who did not.

Mr. LILJENQUIST. Our members support the legislation unanimously.

Senator HUMPHREY. You support regulation through the Federal Trade Commission?

Mr. LILJENQUIST. Yes, sir.

Senator HUMPHREY. Thank you, sir.

Mr. LILJENQUIST. It is estimated that 10 large national companies are already handling 68 percent of the federally inspected meat business in the United States and that the Big Four packers are handling 50 percent of this business. The largest meatpacker last year had dollar sales in excess of \$2,500 million and the sales of the second largest company were approximately \$2 billion. This concentration of economic power in the hands of a few meatpackers is tremendously serious. It should not be further aggravated by the passage of humane-slaughter bills, which would place a disproportionately heavier burden on small companies.

Better methods of slaughtering livestock are assured because of the sincere interest of all concerned to solve this important problem. Livestock producers, meatpackers, consumers, and private and public research organizations are consulting with each other and organizing their efforts to devise more practical and more humane ways of handling animals in the packing plants.

Our members have given encouragement, for instance, to the Remington Arms Co. in the development of their stunning instruments which have been field tested by packers in each of the three meatpacking trade associations.

The new Remington stunning instrument is apparently proving quite effective for stunning cattle. In 1 test that was called to my attention only 22 cartridges were required to stun 20 head of cattle.

Experiments with this instrument thus far, however, have indicated that it cannot be used successfully to stun hogs.

Electrical stunning of animals has generally failed thus far in the United States. If too much or too little electricity is used various complications result which make this system impractical and undesirable from a slaughtering point of view.

For the above reasons we trust that the committee will not report favorably on S. 1497 and H. R. 8308. However, we believe that the introduction of the legislation has been helpful in calling to the attention of all segments of the livestock and meat industry, as well as the public generally, the need for increased research to find improved methods for slaughtering livestock.

We believe that it would be a mistake to pass legislation which would become compulsory in 1 year, 2 years, or in 5 years for that matter. We want to work as rapidly as we can in this direction, and we would like to see some real support for a reasearch program in the Department of Agriculture. We do not believe that compulsion is the American way to solve problems. Sometimes compulsion prevents progress. We do not say that we are not at fault over the years in not doing more than we have, but we have a keen desire to do as much as we can, and now more than ever before in the history of our industry.

We hope that you will not adopt a bill having compulsory features. We favor legislation which would bring about expanded research to develop improved methods. When such methods have been found and a determination reached that they are more humane than our present methods, and are feasible from the economic view of the small packers, we, as an association, will do all we can in our segment of the meat industry to promote the utilization of these new methods.

The CHAIRMAN. Thank you, Mr. Liljenquist.

The committee will now stand in recess until 2 o'clock.

Senator HUMPHREY. May I have this witness back when we come back?

The CHAIRMAN. Proceed now.

Senator HUMPHREY. I would prefer to stay here myself if you wish to leave.

The CHAIRMAN. No; proceed.

Senator HUMPHREY. I had the list of the companies that were using humane methods of slaughter. Is the witness familiar with those?

Mr. LILJENQUIST. No, sir.

Senator HUMPHREY. We included it in the testimony yesterday. As I recall they were practically all small companies, with 1 or 2 exceptions. This bill only applies to companies selling meat to the Government. You are aware of that?

Mr. LILJENQUIST. Yes.

Senator HUMPHREY. How big a company is the Seitz Packing Co., of St. Joseph, Mo?

Mr. LILJENQUIST. I think you would term that a small packer, distinguishing between small, medium, and large.

Senator HUMPHREY. They use humane slaughtering methods?

Mr. LILJENQUIST. Yes, sir.

Senator HUMPHREY. Swift & Co.; out of their total they use it in part.

Mr. LILJENQUIST. I might say Seitz does not use the gas chamber. And I should qualify my statement—

Senator HUMPHREY. What about the Paulus Market, at Cedarburg, Wis., which puts through only 2,100 total, both of beef and cattle or hogs?

Mr. LILJENQUIST. That is a small packer.

Senator HUMPHREY. They use the gas chamber?

Mr. LILJENQUIST. I feel I should qualify my statement and say specifically that I was referring to the gas chamber, not the stunning instruments. The stunning instruments are within the financial reach of small packers. The thing that we are particularly concerned about is that if we were required to put in these gas chambers, which are very expensive at this point, that our small packers would either have to go to tremendous expense to install the equipment or they would have to forego the slaughtering of hogs.

Senator HUMPHREY. Is the gas chamber the only so-called humane method on hogs?

Mr. LILJENQUIST. Yes. It is too expensive for us.

Senator HUMPHREY. Is it the only one that seems to be satisfactory?

Mr. LILJENQUIST. It is the one that has been advocated as being humane.

The CHAIRMAN. We had testimony this morning to the effect that they haven't discovered any stunning instrument that would do the job.

Mr. LILJENQUIST. It is difficult to stun hogs with the stunning instruments now available. There is an expert witness here.

Senator HUMPHREY. I merely wanted to have the record again show that there are companies such as the Tarpoff Packing Co., Granite City, Ill., which uses humane methods for all types of animals; the Paulus Market, Cedarburg, Wis., a very small packing firm that uses humane methods for beef and veal; the Rath Packing Co., a nationwide company which uses it in all of its plants, small compared to the Big Four; the Oscar Mayer Co.; the Logan Packing Co.; and the Monroe Packing Co., all very small companies in terms of the big ones. Also, the Montana Meat Co. uses humane methods.

The testimony which I have received and which I believe stands uncontested is that the humane methods have not increased the operational cost, but actually have, 1, done away with some labor turnover; and 2, have reduced the unit cost, and surely have been, in terms of the damage to carcass and so forth, of some help. I think it is questionable how much help there is. But there has been a lot of testimony from veterinarians and others that a humane method of slaughter can actually protect the product so that when you cut the product up and use it to prepare it for market, you get more of the good product out of the total carcass.

Mr. LILJENQUIST. I am sure of that. We are all for those stunning instruments.

Senator HUMPHREY. The legislation may be spurring on the Western Meat Packers, which you represent.

Mr. LILJENQUIST. Yes, sir.

Senator HUMPHREY. And you do try to protect the rights of the smaller firms. But we have had a little difficulty with some of the others.

What interests me is that if the humane slaughtering methods were going to drive the small fellows out of business, why the bigger packers haven't just grabbed it up. I haven't noticed that they have been too concerned in the past about some of the competitive disadvantages that a small packer might have.

Mr. LILJENQUIST. If they have to install the gas chambers it will be a tremendous cost to them.

Senator HUMPHREY. The packing industry, in all candor, needs some renovation; don't you agree?

Mr. LILJENQUIST. Absolutely.

Senator HUMPHREY. It seems to me if we can compel people who are in the poultry-processing business to put in expensive machinery for sanitary poultry and have compulsory inspection, if we can compel the dairy farmers of my State to put in expensive refrigeration equipment which increases the cost of their product immensely even as the Government reduces the price of it, it seems to me that we ought at least to give some consideration to improved methods of slaughtering in the industry where improved methods have been shown to reduce unit costs.

That is all.

The CHAIRMAN. How many members of your association have these improved methods of slaughter?

Mr. LILJENQUIST. Quite a few of the members. I would say the stunning instrument is used in possibly 25 percent of our plants.

The CHAIRMAN. You say that 200 members of your association are engaged in slaughtering livestock. You say that of that number 25 percent use improved methods?

Mr. LILJENQUIST. I would say about 25 percent are now using the stunning instruments, but this has developed in 2 years' time. I would say that in another 2 years we will see a much larger percentage.

The CHAIRMAN. Then the law wouldn't be necessary, would it?

Mr. LILJENQUIST. I don't believe the law is necessary. Every packer wants to use the most humane methods that are available. He has a public-relations problem.

The CHAIRMAN. But the thing that bothers me is that you didn't start this until these bills got before Congress. You have admitted that. And that is what makes it difficult for us who represent the people.

Mr. LILJENQUIST. I didn't say we started it then. I say we greatly increased our efforts since the bills were introduced.

The CHAIRMAN. You got more interested and disturbed about what Congress might make you do.

Senator HUMPHREY. The other point, Mr. Chairman, is that if you are going to do it voluntarily it doesn't cost any less than if you do it compulsorily. Let's assume you put this in and had a 2-year leeway period.

The CHAIRMAN. The committee will stand in recess until 2 o'clock. (Thereupon, at 12:53 p. m., the committee was recessed, to reconvene at 2 p. m., this day.)

AFTERNOON SESSION

The CHAIRMAN. The committee will come to order.

The committee will proceed with the consideration of testimony on the humane slaughter bills now before this committee.

Has Mr. Unwin come in?

(No response.)

Is Mr. Radford Hall present?

(No response.)

Is Moses I. Feuerstein here?

Mr. Feuerstein, I notice that you have quite a lengthy statement. I will be glad to hear from you. Were you here this morning?

STATEMENTS OF MOSES I. FEUERSTEIN, PRESIDENT, UNION OF ORTHODOX JEWISH CONGREGATIONS OF AMERICA, NEW YORK, N. Y.; RABBI SOLOMON J. SHARFMAN, PRESIDENT, AND SAMUEL L. BRENNGLASS, COUNSEL, RABBINICAL COUNCIL OF AMERICA, NEW YORK

Mr. FEUERSTEIN. Yes, sir; yesterday, too.

The CHAIRMAN. I hope you paid attention to some of the witnesses who testified and that you will relegate your testimony to some new matters to be presented to us, and try to save duplication. You may proceed.

Mr. FEUERSTEIN. Yes, sir.

My name is Moses I. Feuerstein. I am a businessman. I reside in Brookline, Mass.

Sitting next to me is Rabbi Solomon Sharfman, who is the president of the Rabbinical Council of America, and on his right is Mr. Samuel L. Brennglass, who is appearing here as counsel and who also serves as chairman of the communal relations commission of the Union of Orthodox Jewish Congregations of America.

I speak today in behalf of the Rabbinical Council of America, which is an organization of more than 700 duly ordained orthodox rabbis, serving communities throughout the country, and in behalf of the Union of Orthodox Jewish Congregations of America which I have the privilege of serving as president, and which is the national body for the 3,000 orthodox Jewish synagogues in the United States.

We estimate that there are over 5½ million Jews in this country, and the majority of them are interested from a religious point of view in this question of shehitah. We represent them, and we speak also for a large body of the remaining Jewish community that is concerned with this legislation because of the inherent dangers that it presents for the Jewish community in the future.

I would like to call upon Mr. Brennglass for any further reference to that.

Mr. BRENNGLASS. Senator, before the noon recess you raised a question premised upon a statement by Mrs. Christine Stevens that certain designated Jewish organizations were in favor of the proposed legislation.

I may say by way of preface that I served as chairman of the ad hoc committee in which all Jewish organizations were cooperating in opposition to the pending legislation.

As such chairman, I think that I can categorically deny the statement that Mrs. Stevens has made that the five designated Jewish organizations have approved the legislation.

I refer specifically to a letter which was sent out over the signature of the authorized representatives of these five organizations under date of February 20, 1958, to Congressman Poage in the House of Representatives.

The signatories to this letter are the following organizations: The American Jewish Congress, Rabbinical Assembly of America, Central Conference of American Rabbis, Union of American Hebrew Congregations, and the United Synagogue of America.

And I may give you very briefly the background of each of these organizations.

The CHAIRMAN. Before you do that, are there any other organizations who favor this legislation?

Mr. BRENNGLASS. I know of no national Jewish organization which has come out in favor of the bill.

The American Jewish Congress, as was pointed out earlier today, is an organization of organizations. As late as last week, at a meeting which I attended, the authorized representatives of the American Jewish Congress stated that they were not in favor of this legislation and have never given their consent thereto.

The Rabbinical Assembly of America is the rabbinical arm of the conservative movement in Jewry, while the congregational arm of conservatism is the United Synagogue of America.

The Central Conference of American Rabbis is the rabbinical arm of reform Jewry, and its congregational or lay body is the Union of American Hebrew Congregations.

In this letter of February 20 that I have just referred to the following statement is made:

Referring to the undersigned organizations, Congressman Multer said during the debate: "We are in favor of and support this" (Congressional Record, p. 1431).

His statement is inaccurate.

As you correctly stated, we were opposed to H. R. 8308 in the form in which it was originally introduced. As stated in the letter from Dr. Leo Pfeffer to you, dated January 29, 1958, in its present amended form we do not oppose the measure. However, while we do not oppose the measure as amended, we are not proponents of the bill. We are sure you understand and appreciate this distinction.

And as a matter of record it should be repeated that at the present time there is no national Jewish organization that stands in the position of a proponent of this legislation.

I may also say, speaking in my status as chairman of this ad hoc committee, that to the best of my knowledge and information, the American Jewish Congress and the two groups of conservative Jewry, are not in favor of the present legislation and would prefer its defeat.

As to the two reform bodies, I cannot speak as to their present status except to restate that they have not come out in favor of the proposed legislation.

The CHAIRMAN. Could you give us a comparison of the membership in the reform group as compared to the other?

Mr. BRENNGLASS. Senator, let me answer you in this manner: As far as the reform group is concerned, ritual and dietary laws—or I would say the ritual dietary laws—are not part of their religious belief or practice.

As far as the conservative group is concerned, in some congregations it is, and in others it is not.

So that the opposition of these two branches of Jewry in the past has been primarily of a civil rights nature. That means that the basic opposition, and those who are most vitally interested in this as a religious practice, are those adherents of the Orthodox Jewry in this country.

As far as the numerical proportion is concerned, as Your Honor is undoubtedly aware, no religious census has ever been taken in this country. Considering the number of congregations of the various branches of Jewry in this country, with approximately 3,000 orthodox congregations, and perhaps in the neighborhood of a thousand or so conservative and reform, it would appear that the overwhelming majority of Jews in this country are in the orthodox camp or are opposed to this legislation.

The CHAIRMAN. As I quoted this morning from Mrs. Christine Stevens' testimony, she of course was in turn quoting from Congressman Multer. You are familiar with that testimony. Would you care to express your view as to that testimony, as to whether or not what he states is correct, and I quote again:

The Rabbinical Assembly of America and the Hebrew Congregation which is the reform group are in favor of or support this measure as is indicated by the letter the gentleman put in the record. Those groups, including the American Jewish Committee and the American Jewish Congress, agree with the amendment as the gentleman has it, and they say it makes this a good bill.

What have you to say to that particular statement?

Mr. BRENNGLASS. I will say, before deferring to Rabbi Sharfman, who is more familiar with Congressman Multer's situation than I am, having spoken to him on numerous occasions personally, that to the best of my knowledge the American Jewish Committee, which is a distinct organization apart from those five who appeared in this letter, has never approved this kind of legislation.

Rabbi Sharfman?

Mr. SHARFMAN. Senator, it is only a few moments ago that I met with Congressman Multer. I pointed out to him the fact that at these hearings he has been quoted as favoring the legislation, and in addition depicting part of the Jewish community, a substantial part, as favoring the legislation.

He said to me, "You can state in my name to the committee that my preference is a study bill, and I will so write to the committee itself. It may expect such a communication from me."

The CHAIRMAN. Will you see that we get that letter from Mr. Multer?

Mr. MOUSER (clerk of the committee). It is on the way over now, sir.

(See p. 199 for letter referred to above.)

The CHAIRMAN. Proceed.

Mr. FEUERSTEIN. The orthodox Jewish community in America is gravely concerned with proposed legislation now before the Congress aimed at introducing humane slaughter procedures. We readily recognize and identify ourselves with the deep sense of compassion innate in the American spirit which would motivate such legislation. We are proud that a basic principle of the Torah (Bible) incumbent upon every Jew prohibiting the causing of pain to any living creature is part of the American way of life.

This principle or commandment is derived not only from the Torah with its famous prescriptions concerning Sabbath rest for animals and human beings alike, or with its prohibitions against muzzling oxen while they are threshing the grain, or against killing the cow or the lamb and their young both on the same day. The Talmud, which is the source of Jewish religious law, proclaims that cruelty to animals is forbidden by Scripture. The Talmud even prohibited the owner of an animal from partaking of food before he had fed his beast. It also frowned upon hunting for sport. And according to a standard medieval ethical work, *Sefer Chassidim* (Book of Saints)—

man will be called to account for any pain he has caused an animal; e. g., loading upon it a burden too heavy for it to carry, or striking it when it cannot move.

Nevertheless, we must oppose the proposed humane slaughter bill now before the United States Senate Committee on Agriculture and Forestry, and specifically S. 1497, as amended, which is the companion bill of H. R. 8308. Should this bill be enacted, an agency of the Government will be responsible for the supervision of religious practices. Certainly, such legislation flouts the fundamental American tradition prohibiting the Government from interference with the religious practices of any faith.

Our concern is further underscored by the following:

1. The possible effect of such legislation on the right of the Jewish community to practice the basic religious tenet of *shehitah* (ritual slaughter). This divinely ordained method of preparing animals for human consumption is most humane.

2. Our deep concern is for the humane treatment of all God's creatures as ordained by scripture and Jewish religious law. Jewish ritual slaughter is the manifestation of divine will instructing humanity that although the act of slaughter is permissible for the purpose of providing food, it must be done according to divine method which acknowledges that the Almighty has created animals for the service of man.

And a further reference to that which I am sure Rabbi Sharfman will probably amplify, you probably know, Senator, that the man who does the slaughtering is a religiously ordained person because the whole act of slaughter is in the form of a religious requirement—so that the man should not get into the position of being a killer or a murderer.

Curiously enough, the humane societies in Europe that have been quoted so often yesterday found that the Jewish form of slaughter was the most cruel, and it was in that direction that they moved in each of the countries. So that for decades, you could come into countries where Jewish ritual slaughter was not allowed but you could see slaughtering with the hammer or with the pole, beating the animal in ways that everybody would regard as brutal.

I mention that only because that seems to be one of the peculiar and frightening facets of legislation that is proposed by humane societies as far as the Jewish religious community is concerned.

During recent years, more than 800 recognized authorities—mostly non-Jewish—in the fields of physiology, pathology, and anatomy including heads of veterinary schools, have testified to the humaneness of the Jewish method of slaughtering animals. We cite as illustrative, the most recent exposition by Prof. H. H. Dukes, head of the department of veterinary physiology of Cornell University, a copy of which is appended.

For the past 2 years we have exhaustively studied the problem of legislation from all aspects, in consultation with interested groups and individuals. During the past 9 months, our study concerned itself specifically with H. R. 8308, and possible revisions or amendments thereto. We found that, within the framework of this bill, it was impossible to satisfactorily resolve the problems inherent in such legislation.

The CHAIRMAN. At that point, I ask you if there is any suggestion that you can make so that we can amend the bill to meet the objections that you have to it.

MR. FEUERSTEIN. We find that there are two basic objections to the bill. No. 1, as I shall indicate in further testimony, there are no satisfactory methods that can be called humane, except Jewish ritual slaughter, which is the only method that scientifically shows that the animal is freest from pain.

No. 2, the area of this legislation enters into the morals of the community which, we feel, should rightly be assumed by the home, by the religious movements, and by the schools. And we feel that, if this is not done, that legislation will find that it is colliding with religious freedom, and that it will then loosen the forces of divisiveness and bigotry which, I am sure, as Americans, we all hope to avoid.

We well appreciate the difficulties the congressional committee encounters in the writing of the proposed bill. The present uncertainty as to what constitutes humane methods of slaughter is further emphasized by section 2 of the bill, which is couched in negative language, and I think the Senator went into that very ably.

The bill does not set forth, affirmatively, criteria for humaneness because of the impossibility at the present time to set forth such affirmative standards of humane slaughter. It approves as humane methods of slaughter those which, in fact, are presently deemed inhumane and injurious by, among others, the United States Department of Agriculture. Certainly, our conscience will not permit us to underwrite in any manner the treatment of animals which violates a principle of our religion concerning the humane treatment of animals.

The bill, as now constituted, specifies that the animals are to be rendered insensible to pain by (a) a single blow or gunshot, (b) electrical, (c) chemical, (d) or other means that is rapid or effective.

The inadequacy of these provisions is self-evident:

(a) A single blow is now the practice in most slaughterhouses, as far as cattle are concerned. It is, however, a fact that a single blow rarely renders an animal insensible. Testimony has been presented that, sometimes, over 20 blows were used. If the first blow is insufficient, is the animal to be allowed to suffer? How was this method approved in other countries, which have been cited heretofore as

more humane and more advanced than ours? Are we, then, in good conscience, to support a law which approves as humane a method which is actually inhumane?

(b) According to the testimony of the experts of the United States Department of Agriculture, electrical stunning is a disapproved method because it is not always accompanied by unconsciousness and, because of the lesions produced in the lungs of the animal, this method renders impossible proper examination of the carcass, and, also, because it often shatters the vertebra, which is caused by the sudden convulsion induced by the high charge.

The CHAIRMAN. As I recall, some of the countries that have adopted the electrical method have now dispensed with it, according to testimony this morning.

Mr. FEUERSTEIN. That is right.

The CHAIRMAN. I think there are about eight of them, and I believe that is included in the testimony that was supplied to us this morning.

Mr. FEUERSTEIN. In fact, I have over here a statement from an analysis by an authority, a veterinary surgeon in Denmark, which was quoted repeatedly yesterday as one of the humane countries we should emulate, in which a rather frightening scientific evaluation is made of the so-called humane method of electrical stunning.

(c) Chemical: This method has been found practicable only in the cases of hogs and, even there, its effectiveness is questioned by many authorities. In the case of turkeys, for instance, and cattle, chemical stunning has produced asphyxiation, with the fowl and cattle exposed to great torture.

(d) Other means that are rapid and effective: Obviously, these have no particular meaning, since the law does not specify what they are.

At the present time, the humaneness of these methods is questionable, and legislation characterizing such methods as humane is not warranted by present scientific evidence. There, again, we come against the constant peculiarity of humane societies refusing to recognize the Jewish ritual approach, which is the cutting of the throat and the immediate loss of consciousness, as humane, and searching desperately for method after method which, upon scientific analysis, despite calling them humane, turn out to be the opposite.

The exemption in the bill for "slaughtering in accordance with the ritual requirements of the Jewish faith or any other religious faith" is illusory. Because of the fact that animals have to be restrained prior to the act of slaughter, the bill, as interpreted during debate in the House of Representatives and by its sponsor in the Senate, would empower the Department of Agriculture to prohibit shehitah by outlawing reasonable forms of restraint which are used in connection with ritual slaughter.

Would anyone, in all honesty, say to the millions of Jews throughout this country that their religious freedom is thereby being protected by this legislation?

The remarks reported in the Congressional Record of February 4, 1958, indicate that, although the bill does not establish criteria for humaneness, it, nevertheless, empowers the Department of Agriculture to prohibit any form of handling of conscious animals which they—the Department of Agriculture—may deem inhumane.

Having heard yesterday, Senator, so many caustic remarks by Senators and by proponents of the bill concerning the Department of Agriculture and its direction, can we, in good conscience, say to the American Jewish community that, by giving over the authority and control of this law to a Department of Agriculture, we are, in effect, protecting their rights to religious freedom?

The CHAIRMAN. Let me ask you this question: It strikes me that section 2 (b) more or less exempts any religion. The last sentence in section 2, before the semicolon, states:

Either of the following two methods of slaughtering and handling are hereby found to be humane: By slaughtering in accordance with the ritual requirements of the Jewish faith or any other religious faith that prescribes the method of slaughter whereby the animal suffers loss of consciousness by anemia of the brain caused by the simultaneous and instantaneous severance of the carotid artery with a sharp instrument.

How do you figure that you are included in this bill?

Mr. FEUERSTEIN. Could I answer your question?

The CHAIRMAN. If I am to read the bill as it is before us, you would be exempt.

Mr. FEUERSTEIN. Right. And I claim that we are not, so to speak.

The CHAIRMAN. I want you to point out in this bill where you are not exempt.

Mr. FEUERSTEIN. May I defer to Rabbi Sharfman to answer this question, because he is more of an authority on that than I am?

The CHAIRMAN. All right.

Mr. SHARFMAN. Senator, I intended to deal a little more at length with this question in my own statement. But, for the moment, let me reply as follows: That provision, from our viewpoint, is bad for two reasons: First of all, it assumes that all prior handling is inhumane and requires control, while through my own personal—

The CHAIRMAN. Such as what?

Mr. SHARFMAN. Shackling, hoisting, casting.

The CHAIRMAN. That doesn't apply to you.

Mr. SHARFMAN. The provision which applies to the act of shehitah refers only to that which is required by Jewish ritual and law. That means that only the act of cutting itself is provided for in the bill; the bill does not refer to the prior handling, the restraint of the animal prior to the cutting, or act of shehitah, as we call it.

In further elucidation of that, may I quote from a paragraph which appears in the Congressional Record:

We understand, further, that, while the bill, as amended, would empower the Department of Agriculture to restrict or prohibit shackling or hoisting of animals in connection with slaughtering in accordance with the rituals of the requirement of the Jewish faith, it does not restrict or prohibit, nor does it authorize the Department of Agriculture to restrict or prohibit, the use of the Weinberg or revolving pen as is used in Great Britain, and that such use of the Weinberg pen is a humane method of preparing the animals for slaughter.

It appears in the Congressional Record with the backing of Congressman Poage. Consequently, it is obvious, Senator, that the provision which refers to shehitah does not refer it to the prior restraining of the animal.

The CHAIRMAN. Is your method of handling the animal before it is slaughtered different from that engaged in by, say, Swift & Co., and Armour?

Mr. SHARFMAN. Senator, I am not acquainted with nonkosher slaughtering houses. I am acquainted, however, with kosher slaughtering houses, and I and my colleagues as well have seen the restraint that is utilized prior to the actual slaughter sometimes involves hoisting for a period of about 1 minute, something that could not be said to be inhumane. That is, as to the slaughterhouses that we are acquainted with, Senator.

The CHAIRMAN. And it is your contention that you would be prohibited from utilizing that method?

Mr. SHARFMAN. It is my contention, Senator, that it is up to the discretion of the Secretary of Agriculture. Any method could be prohibited on his say-so, according to the provisions of the bill. That is within his discretion.

The CHAIRMAN. I go back to the question I asked you a while ago. Is there a way by which language could be placed in this bill to entirely exempt you?

Mr. SHARFMAN. Our basic difficulty with this bill, Senator, goes even deeper than our concern as a Jewish—

The CHAIRMAN. I am not asking you that. I know that. I am asking you if there is any language that we can place in this bill that will entirely exempt you, irrespective of your feeling as to the other part of the bill?

Mr. SHARFMAN. We know of no such language at the present time.

The CHAIRMAN. Proceed.

Mr. FEUERSTEIN. Congressman Poage's statement, that the proposed amendments are not intended to deny the Department of Agriculture the right and power to prohibit any form of shackling and hoisting of conscious animals, implies this most bluntly (see Congressional Record, Feb. 4, p. 1430); namely, the Department can prohibit any form of handling of conscious animals which they may deem inhumane, thus making the protection of shehitah an illusion.

Such an unfortunate legislative history would leave the Department of Agriculture no course other than to "require all such livestock to be rendered insensible prior to slaughter, contrary to most religious laws." (See letter of Trne D. Morse, Acting Secretary, Department of Agriculture, in Congressional Record, Feb. 4, 1958, p. 1442.)

The CHAIRMAN. I realize that, in order to entirely exempt you, there may be a contradiction in the law. It may result in that. But irrespective of that, irrespective of your feeling as to whether the one-blow method or any other method devised would be effective, you are now telling this committee that you know of no way by which you can be entirely exempted from the act?

Mr. FEUERSTEIN. That is correct.

The CHAIRMAN. You have consulted legal advice on that?

Mr. FEUERSTEIN. With your permission, I will turn this over to our counsel, Mr. Brennglass.

Mr. BRENNGLASS. That has been our position, Senator. And to repeat what Rabbi Teitz said today, we do not want protection; we want freedom.

The CHAIRMAN. If you are exempt, if it doesn't apply to you, how would your freedom be affected?

Mr. BRENNGLASS. We have seen what the effect of an exemption in the British Humane Act of 1933 has led to.

The CHAIRMAN. That is Britain. That is not the United States.

Mr. BRENNGLASS. We also learn from experience, Senator, that we have to be careful; what happens elsewhere might, possibly, in the wrong hands, happen here, as well.

The CHAIRMAN. Proceed.

Mr. FEUERSTEIN. The Congress of the United States thereby surrenders to an administrative agency Government regulatory powers which vitally affect the very existence of a religious group. Even the oblique reference to the Weinberg pen in the Congressional Record, February 4, 1958, page 1430—have you ever seen a picture of the Weinberg pen?

The CHAIRMAN. Yes.

Mr. FEUERSTEIN (continuing). Even the oblique reference to the Weinberg pen in the Congressional Record comes with an inadequate knowledge of its practicability on the American scene where it has never been used and without realization that at best it can be used only for large cattle and not for sheep or calves.

Although reference has been made to the amount of study given to this bill, it is obvious that not nearly enough study has been given to avoid such basic defects to the protection of human rights.

Congressional leaders have indicated that they would welcome changes in the bill which would eliminate the objections of the Jewish community. We have made serious efforts to examine the possibilities of such alternative language and have come to the conclusion that this is impossible within the confines of the present bill.

It is not surprising that within the Jewish community there was widespread opposition to this bill when first considered by Congress during the past session. There is a sorrowful history behind legislation such as this. We do not impugn in the slightest the motives of the proponents of the bill. Unfortunately, however, the motivations of those who have pressed such legislation in other countries and at other times have not been as benevolent. The exemption of shehitah, wherever such laws were enacted, has been used as a springboard for a continuous campaign to label shehitah as inhumane and to ban it.

Will we be exempt from this pressure by the humane societies? Let us merely look at England, certainly a great democracy, and one of the European countries referred to yesterday as among the more advanced than we are in humane slaughter. There, in 1933, they passed a law the same as where we are now, and within 23 years this very same humane society, made up of very fine people, were able to produce the caricatures that we showed you this morning, and which are among the most anti-Semitic that have been seen in Europe since the war.

May we submit that the entire civilized world looks to the United States of America for leadership and guidance in the exercise of religious freedom. Bills S. 1497 and H. R. 8308, if enacted, may be misunderstood in other lands as official sanction of religious regulation and discrimination. Our apprehensions are underscored by the fact that already in several State legislatures bills have been introduced calling for humane regulation in the slaughter of animals which go much further than the bills we are now scheduling. Indications are that these bills may, and in some cases do, omit the so-called protections that the Congress is attempting to include in the instant bill.

The problem of the humane treatment of animals is a very real one. We are convinced, however, that the present efforts to cope with these problems by legislation fall short of their purpose and indeed fail.

We do not see how legislation which in most instances is impossible of application, can serve the best interests of the cause which it seeks to promote.

Furthermore, we call attention to the fact that slaughter is only one small aspect of the treatment of animals. No concern has yet been expressed for the mistreatment of animals that is common in all segments of our community. We refer to such things as branding, castrating, dehorning of cattle, docking of lambs, hunting, et cetera. These also present serious violations of a humane principle and should certainly be included in the overall effort to establish standards for the treatment of animals.

We must, therefore, state that our commitment—a religious commitment—to the principle of the humane treatment of all animals, compels us to oppose efforts to pass this bill. We should like further to state that our organizations and the Orthodox Jewish community generally are prepared to lend their active participation in and support of any educational and other programs designed to solve the problem of humane treatment of animals in this country and throughout the civilized world.

In conclusion may we state that we are against this bill for the following reasons:

(a) The bill declares methods of slaughter to be humane which are in fact inhumane. Even hundreds of thousands of letters from an emotionally excited, well-meaning but misguided group, will not change the facts or the truth.

(b) This area of morals with which this bill is concerned is not an area for legislation. It is the proper province of the home, of religious movements, of the school, and of voluntary groups. To legislate in this area under pressure, or through impatience, will result in the violation of religious freedom and the unleashing of the forces of divisiveness, bigotry, and hatred within the American community. For these reasons we respectfully express our opposition to the measures before this committee.

The CHAIRMAN. In addition to the exemption that I pointed out to you under section 2-B, wherein I consider you exempt, if you will turn to section 6 you will notice that nothing in this act—and I will read from that section—

Nothing in this act shall be construed to prohibit, abridge, or in any way hinder the religious freedom of any person or group to slaughter and prepare for the slaughter of livestock in conformity with the practices and requirements of his religion.

In the light of that is your attorney still of the belief that you are not exempt?

Mr. FEUERSTEIN. Senator, it is the legislative intent and the intent of the proponents of this bill to eventually outlaw that form of preparation, and for that reason we have—

The CHAIRMAN. In order to do that they would have to come before Congress again; wouldn't they?

Mr. FEUERSTEIN. No. They have submitted in the Congressional Record the statement, part of which I alluded to here, indicating that they will not require this to be a part of the religious practice.

The CHAIRMAN. I presume that the prosecutor or the attorney who would have to do with the administration of this law would certainly have to take the law, not the statement of people appearing in the record, because here it is written very plainly that it shall not apply to a preparation of the animal for slaughter.

Let's get it clear.

Mr. BRENNGLASS. Senator, may I refer to a letter—

The CHAIRMAN. Let's get the law. Forget about the letter. I am not interested in that. Here is what we are considering, which, if passed, will become law, and that will become the law under which the law will be administered.

Mr. BRENNGLASS. The legislative sponsors of this legislation both in the House and the Senate—and in the Senate I refer specifically to Senator Humphrey—have not taken the position that you, Senator Ellender, take. I wish to refer—

The CHAIRMAN. The amendment from which I have just read was proposed by Senator Humphrey.

Mr. BRENNGLASS. Exactly. I wish to read to you a part of a letter dated March 22, 1958, from Senator Humphrey, addressed to Leo Pfeffer, Esquire, Associate General Counsel, American Jewish Congress, 15 East 84th Street, New York 28, New York. This is the part that I am referring to:

To be specific, I feel there is no doubt whatever that the clear and correct interpretation of the bill in this respect, as clarified on the floor of the House, is, (1) That animals must be handled in a humane manner prior to Kosher slaughter—

The CHAIRMAN. That would run contrary to section 6.

Wouldn't it run contrary to section 6? You are a lawyer. Read section 6.

Mr. BRENNGLASS. I couldn't give you the answer, Senator, until the courts have decided this problem.

The CHAIRMAN. You understand the English language, I am sure.

Mr. BRENNGLASS. Sometimes the courts don't agree with the literal interpretation and the plain meaning of the statute.

If I may continue:

2. That any inhumane method of handling animals prior to kosher slaughter may be restricted or prohibited by the Secretary of Agriculture effective on and after December 31, 1959, including those forms of shackling and hoisting which are not humane.

3. That any forms of shackling or hoisting of animals or other methods of handling prior to kosher slaughter, which are not inhumane, may not be restricted or prohibited by the Secretary, and

4. That the use of the Weinberg or revolving pen for catching animals prior to kosher slaughter is a humane method of handling and may not be restricted or prohibited by the Secretary as inhumane.

That is the interpretation which Senator Humphrey, one of the sponsors of this legislation in the Senate, has placed upon this statute.

In other words, if I may interpret it, section 6 is a catch-all which apparently would not in any way restrict the meaning of section 2.

The CHAIRMAN. So that you as a lawyer don't know of any further language you could add to section 6 to make it certain that you would be entirely exempted?

Mr. BRENNGLASS. Not at the present time. We have given careful consideration—

The CHAIRMAN. Will you give it study and let me know? That may be important.

I want to say this to you: My views on this bill are not to be interpreted by the questions I am asking. I always try to either take the affirmative or the negative. If you are the negative I will take the affirmative, or vice versa.

Mr. BRENNGLASS. To to be the devil's advocate, especially where the religious portion is involved.

Senator THYE. I come to the defense of the Chairman. He is just a very able chairman. He is not a devil's advocate.

The CHAIRMAN. We are not holding these hearings just to go through formalities. When this committee decided to hold hearings it was to go into all the facts and acquaint ourselves with it, and not be guided by the number of letters we get from the people on either side. That is the view I have taken of all legislation since I have been here.

Senator THYE. Mr. Chairman, how would you proceed to designate in the slaughtering yard that meat is going to Europeans or is going through the normal course? I would like to get a sort of description of that, because I think it would be helpful.

Mr. BRENNGLASS. May I defer to our rabbinic authority, Rabbi Sharfman?

Senator THYE. Yes.

Mr. SHARFMAN. Would you want me to answer this immediately or do so in a brief statement that I am going to make?

Senator THYE. Will you cover that question then?

Mr. SHARFMAN. Yes.

Senator THYE. Then I will withdraw my question until it can be answered at a later time.

The CHAIRMAN. I realize that there may not be a close comparison between the act which we passed here last year to provide for the compulsory inspection by the United States Department of Agriculture of poultry and poultry products. As I remember there was some opposition by quite a few rabbis, and yet we were able to place in this bill a provision which exempted these opponents. I refer specifically to section 15 (a) (4), wherein it is stated:

Persons slaughtering, processing, or otherwise handling poultry or poultry products which have been or are to be processed as required by recognized religious dietary laws to the extent that the Secretary determines are necessary to avoid conflict with such requirements while still effectuating the purposes of this Act."

Because of that language, as I recall, that opposition against the poultry bill faded out. That is what prompts me to ask questions in respect to such language as may be proposed so as to exempt religious groups who are opposed to this because of certain methods, particularly with respect to the Jewish faith in regard to the killing of animals.

I repeat, are you still of the opinion that this has been given study and no language has been devised that would exempt you to your satisfaction?

Mr. BRENNGLASS. Yes, sir.

Mr. SHARFMAN. I am Rabbi Solomon J. Sharfman. I have the honor to be the president of the Rabbinical Council of America, which is an organization composed of over 700 rabbis, most of whom have been born and bred in this country.

Senator, I am a brief speaker.

The CHAIRMAN. Good.

Mr. SHARFMAN. I am always cognizant of the fact that Almighty God gave mankind the basic moral law in only Ten Commandments, and I always feel it shouldn't require many thousands more in order to buttress those moral laws.

I appear here in order, in a sense, to clear the record. Not only is the president of my organization, not only is he a Jew, but is an American citizen, very greatly concerned with the legislation that is passed by the Congress of the United States.

May I begin, Senator, by clarifying even more than has been done up to the present time certain questions that have been raised concerning the position of the Jewish community with reference to this legislation.

May I very briefly relate the history of our dealings together and our approach to the legislation, both in the House of Representatives and those that have come up here in the Senate.

Originally, several years ago, when legislation was first proposed, the entire Jewish community was completely united in opposition to such legislation.

The CHAIRMAN. Before the House?

Mr. SHARFMAN. Before the House and also before the Senate, when it was previously brought before the Senate.

The CHAIRMAN. When we had it before the Senate it was merely a study.

Mr. SHARFMAN. Yes, sir.

The CHAIRMAN. You were not opposed to the study?

Mr. SHARFMAN. We hadn't committed ourselves concerning the study previously, Senator.

We were opposed at that time because it was the feeling of the Jewish community that since no humane method had as yet been discovered, to lend any kind of aid to legislation which purports to be humane legislation but which, by the very nature of its provisions, is inhumane, would be a violation of our duties as citizens of the United States.

We had a further difficulty with the language of the bill as proposed, and also the intent of the bill. And so for quite some time the community did study the language, Senator, and as a matter of fact, for months we met daily and gave every word of the language the utmost study because up to the present time, thank God, it has not been necessary for us in this beloved country of ours to indulge in apologetics, to explain our viewpoint, to ask for special privilege or to require an exemption which in itself undermines our position in the American community.

After long study we found that it was impossible for us to unite concerning language amending the bill.

At that time the question of strategy arose on the part of the community. We received letters similar to one that is dated March 22, 1958, sent by Senator Humphrey to Leo Pfeffer after the bill was passed in the House, and the letter states as follows, and I quote: " * * * and if it had not been for your efforts and those of your colleagues I am wholly convinced that humane slaughter legislation would have been passed over opposition of the Jewish community and would not have contained the effective safeguards of kosher

slaughter practices that your efforts have succeeded in writing into the Poage bill."

It was because we were constantly told, both by legislators and by other groups in the community, legislation must pass, legislation is going to pass. You are opening up the entire question of the prohibition of shehitah in this country, and consequently we must suggest language no matter how opposed we are to the bill and no matter how we feel that the bill is bad.

As a result of that, a cleavage, unfortunately, did take place in the Jewish community. There were some groups who felt that the best strategy would be to devise language, to attempt to improve the bill as much as they could, so as to attempt to make it acceptable and to protect shehitah as much as they could.

There were others—and I am proud to say, Senator, that my group is numbered among them—who felt that it would be morally wrong even to refuse to speak out against legislation which provided for methods of slaughtering that had never been proven to be humane, and even an act of omission on our part would be a violation of our duties as Americans.

Consequently we maintained such opposition. Our opposition was not vociferous because we understood the feelings of the other groups in the community. We didn't want to enter into attacks upon them because we knew that they were very well-meaning and we knew that they had pursued a certain line of strategy.

What happened? In the House, as the bill was proposed, something happened which was what, unfortunately, we had prophesied actually took place. The record contains the kind of legislative history that if such legislation is going to be passed, and S. 1497 is going to be passed, is going to be some day, God forbid, used in opposition to shehitah.

Let me point out what I mean. We have already read excerpts of the Congressional Record. I don't want to take the time of this committee to read the entire letter that was sent by Leo Pfeffer, who represented those groups who had not opposed the legislation. I would just like to refer to the beginning of one paragraph, the fourth paragraph of a letter which Mr. Toubin, on behalf of the various organizations who are signatories to the letter, which was sent to Congressman Poage on February 20, 1958, and in that third paragraph, referring to the undersigned organizations, Congressman Multer said during the debate we are in favor of and support this measure. This statement is inaccurate.

If you look at the Congressional Record, whereas even the Jewish organizations had taken the position that they would not oppose the legislation, provided it contained certain language, it is made to seem as though the very proponents of the bill are these Jewish organizations. And even at this hearing this morning the question was raised, "Isn't the Jewish community or a large segment of the Jewish community in favor of this bill?"

Whereas, Senator, before you had entered I had pointed out that a short time before we came here I had met with Congressman Multer and he said,

You may state in my name before the committee that my preference is for a study bill, and I will so write the committee.

The CHAIRMAN. Now that you have mentioned his name, I have the letter in my hand that came from Congressman Multer. It is dated today and addressed to me as chairman and reads as follows:

I have been told that during the course of the hearings on S. 1497 your attention was directed to my remarks as they appeared on page 1431 of the Congressional Record of February 4, 1958, during the course of the debate in the House on H. R. 8308. Unfortunately, those remarks of mine were garbled in the reporting. They were corrected as per the enclosed tear sheet at pages 1941 and 1942 of the Record of February 17, 1958. Incidentally, a part of my corrected statement is factually incorrect, to wit: I said that the Rabbinical Council of America is a much older organization than the Union of Orthodox Rabbis. The latter organization is the older of the two.

May I take this opportunity of saying to you that despite my vigorous support of H. R. 8308 as amended on the floor, I still would prefer a bill like that which the Senate passed in the last session of Congress calling for a commission to study the problem.

With kindest personal regards, I am,

ABRAHAM J. MULTER.

And I attach hereto a copy of the correction to which he referred and ask that it be made a part of the record.

(The matter referred to is as follows:)

[From the Congressional Record, February 17, 1958]

CORRECTION OF RECORD

Mr. MULTER. Mr. Speaker, I ask unanimous consent that my remarks as they appear on page 1431 of the Congressional Record of February 4, 1958, may be corrected as follows:

Strike out on page 1431 in the first column all of the last paragraph appearing after the name "Mr. Multer" and insert in lieu thereof, the following:

"Let us make this crystal clear. The Union of Orthodox Rabbis, which has sent a telegram protesting against this or any bill on this subject, is only one of many organizations of orthodox rabbis. No one rabbi and no one group of rabbis has any right to speak for all Jews, orthodox or otherwise.

It is doubtful whether the Union of Orthodox Rabbis speaks for all of its own members. Few, if any, of its members are members of the Rabbinical Council of America, another and distinct and much older organization of orthodox rabbis. I have seen the objections to the bill as reported, as urged on behalf of the Rabbinical Council of America. It is my opinion that the proposed Anfuso amendment meets these objections.

"The Rabbinical Assembly of America, a conservative rabbinical group; the United Synagogues of America, the conservative lay group; the Central Conference of American Rabbis; and the Union of American Hebrew Congregations, representing reform rabbinic and lay groups, support this measure to the extent indicated by the letter that the gentleman from Texas [Mr. Poage] placed in the Record. These four groups and the American Jewish Committee and the American Jewish Congress support the amendment by the gentleman from New York [Mr. Anfuso] and they agree that that amendment makes this a good bill."

The SPEAKER. Without objection, the permanent Record may be so corrected and revised.

There was no objection.

Mr. SHARFMAN. May I also read a paragraph from the letter sent on March 25, 1958, by Congressman Poage to Senator Humphrey:

I was particularly impressed with the clear and effective way in which you pointed out that in the absence of legislation of the type you and I are trying to get, that it will probably be far more likely that the Congress will pass some type of punitive legislation, completely ignoring the legitimate request of our Jewish citizens. I think this would be unfortunate, but I think it is likewise inevitable.

Senator, it is communications like this—and I read it in no sense in trying to impugn either the good intentions or the character of Senator Humphrey or Congressman Poage—we respect them very, very highly,

and we know that they have been trying to do the best, even as far as the Jewish community is concerned—but as a result of this, Senator, a segment of the Jewish community got to work and began to suggest certain language, but maintaining all the time we will state and we hope that the record will make it clear that we are not opposed to this legislation, but in no way are we in favor of this.

As I mentioned before, however, we were opposed. What has happened as a result?

The real problem, Senator, as you have pointed out several times is this question of handling. The exemption in the bill for shehitah refers to the practice of the Jewish group, or the ritual requirements of any other group. No one can state that there are any specific ritual requirements for restraining prior to the actual act of slaughter that the Jewish group is bound by its faith to follow except for the fact that the animal cannot be permitted to be unconscious.

But it is to restrain. We could never say that an act of the Secretary of Agriculture, in banning restraint as utilized in the present time and demanding whether the Weinberg pen or some other method were instituted we could never claim that that would be a violation of S. 1497 because of the fact that we could neither say that there are specific ritual requirements that must be followed as they are going on at the present time. But the very language of the bill implies that the handling and the restraint that is practiced now, even in the kosher slaughterhouses, is inhumane.

And again may I state, Senator, that from my own personal acquaintance and that of my colleagues, we have seen hoisting and shackling for perhaps the period of 1 minute, or approximately that period. And we could not consider that to be inhumane, no more than holding a giant dog on a leash and the dog straining on the leash.

As a result, we are very deeply perturbed, and this, Senator, is an answer to the question that you raised. We are perturbed because there is a religious question here, and there is a practical question as well.

Most large slaughterhouses do not have separate slaughtering for kosher and nonkosher. It usually is not economically feasible. Therefore, within the same slaughterhouse, the animals are slaughtered in accordance with Jewish ritual law. And they are sold both to the Jewish public and also to the non-Jewish public. Therefore, it would be impossible, actually, to separate the handling from one to the other.

Senator THYE. Then the question, Rabbi, is you would not stun the animal?

Mr. SHARFMAN. It would not be stunned in accordance with the requirements of Jewish law; that is correct.

Senator THYE. Would you forbid the use of the hammer on an animal?

Mr. SHARFMAN. We would.

Senator THYE. So that the animal would be bled?

Mr. SHARFMAN. The animal would be slaughtered and bled.

Senator THYE. Into unconsciousness?

Mr. SHARFMAN. That is correct.

Senator THYE. And then slaughtered?

Mr. SHARFMAN. No. That is the act of slaughter which renders the animal unconscious.

Senator THYE. That is part of the slaughter. When you bleed the animal that is your process of, in other words, taking life away from the animal?

Mr. SHARFMAN. That is correct.

Senator THYE. This would be true with both the sheep and the beef animal?

Mr. SHARFMAN. That is correct.

Senator THYE. So the only difference would be instead of striking the animal and knocking it unconscious, you would just proceed to bleed the animal until life had disappeared?

Mr. SHARFMAN. That is correct, which is almost instantaneous in accordance with the testimony of about 800 experts.

In other words, Senator—

Senator THYE. I have to take somebody else's statement, because I have never been bled.

Mr. SHARFMAN. Our counsel points out to me that actually the language "bled" is not completely appropriate. It is the cutting of the throat which produces immediate unconsciousness.

Senator THYE. The mere fact that you cut the throat does not take life. It is the exhaustion of the blood from the stream of the body; is it not?

Mr. SHARFMAN. No; we don't maintain that.

Senator THYE. You do not?

Mr. SHARFMAN. We do not. We insist that the act of cutting—

Senator THYE. You cut the vein?

Mr. SHARFMAN. Yes.

Senator THYE. The main artery?

Mr. SHARFMAN. Yes, sir, which causes immediate unconsciousness.

Senator THYE. Because the moment that the blood ceases to flow to the brain, that is the end of the nerve system. At least, that is what we are led to believe.

Mr. SHARFMAN. May I be permitted to read a paragraph from a statement on shehitah dated March 26, 1957, made by Prof. H. H. Dukes, professor of physiology and head of the department at New York State Veterinary College, Cornell University, Ithaca, N. Y.

In my opinion the suddenness and the magnitude of the hemorrhage almost immediately reduce the blood flow through the cerebral vessels to the point where consciousness would no longer be possible. It is most unlikely that consciousness would be maintained by the small blood flow through the vertebral arteries (which are not severed by the cut but which in ruminants supply little blood to the brain anyway). It should be pointed out that consciousness does not necessarily imply pain.

The cutting of the throat is done so quickly and skillfully that the feeling of pain as a result of the cut is improbable. At the most, any pain felt would be momentary, for the animal must quickly pass into unconsciousness from inadequate blood supply to the brain.

That would be the physiology of it.

This leads me to the next point I want to make. Even though the only expert testimony that we have concerning the humane method is that which refers to shehitah itself—and possibly it is a little tragic that we have such expert testimony. That was necessitated because of the experience of Jews throughout many lands.

The question that confronted us from the very moment that this legislation was proposed is the following: How can we, in good conscience, remain silent when a bill is proposed that may cause us injury,

but in addition proposes methods of slaughter that have never been proven to be humane?

In addition: How can we remain silent when legislation is proposed where the major groups in the community, the major religious groups—Catholics and Protestants with whom we have very close relations—have never spoken out in favor—these organized religious bodies, these national bodies—and we have spoken concerning that to them. Wouldn't it be logical, Senator, that a question of morality which so concerns us all, and a question of humanity, wouldn't it be logical that this would be a question on which the major religious groups in this country would raise their voices?

Yet the national bodies of Catholics and Protestants have never seen fit to speak out in favor of this legislation. And we know why. Because this legislation speaks of one aspect of morality; one aspect of morality. But it does not cover the broad questions that are involved. There are many questions that are involved.

In the Jewish group, for example, before an individual can be ordained as a rabbi, for a period of at least 6 months he studies the codes and the ethics which deal specifically with the act of slaughter. And he is given tremendous training in preparation in what is proper slaughter. If the slightest thing goes wrong with the knife in the treatment of the animal which will cause it pain, that animal will be rendered trafe, according to Jewish law.

The slaughterer who practices and actually performs the act of slaughter in Judaism in a sense has a type of ordination. It is not everybody who practices it. We do not permit it.

I was proud of the fact that on a recent visit to the Air Force in Europe and in North Africa it was pointed out to me by many a commanding officer of the help which they gave, the chaplains, both Jewish and Catholics, in giving kosher food to the boys who wanted it in the armed services. I was elated. I mentioned it to the people when I came back, what a great country this is that is concerned with the welfare of all its citizens.

The last point I want to discuss is the following: We have had difficulty, and one of the reasons why we as an organization have not appeared previously at these hearings—we have in a sense been represented by others—because of the following facts: We are an organization that is involved in every aspect of life in this country—political and social. There is hardly an institution, hardly an organization that we are not concerned with. And yet here was one issue that we had not previously seen fit to appear on.

Because we believe in humaneness. We are the first who spoke out concerning humane treatment. We are the first to teach our children how animals are to be handled. In a Jewish home even before we eat we have to feed our animals. We are not permitted to even partake of our food before we feed them.

We realize, and Judaism realizes, that in essence the very act of slaughter is a cruelty, and it is only justified by God Almighty because it is required by man for his food. But Judaism has always placed safeguards around that act. We didn't want to appear here to speak out concerning legislation which purported to ease the treatment of animals here in this country. But we were convinced that we had to

speak up because we didn't see that kind of protection in the legislation that has been proposed.

The legislation again speaks of a single blow or a gunshot wound. Sitting over here at these hearings we have heard experts speak of the fact that in a large percentage of the cases animals are not stunned by a single blow. It requires blow after blow in order that that animal may be stunned and eventually be slaughtered.

Testimony has been given here concerning electrical stunning, concerning gassing, chemical treatment. Thus far no particular method has as yet been studied and claimed to be humane.

I read some of the testimony given yesterday, Senator, and I understood some of the wrath with which some of the spokesmen spoke, of the fact that they had asked the Department of Agriculture to undertake a study of these things and had wanted greater information. And there had been delay and there had been lack of consideration of their requests.

But Senator, the absence of a study and the absence of humane methods does not mean that methods that are simply picked out of the air, so to speak, are the humane methods that are the proper ones.

Can the Congress of the United States pass such legislation which purports to be these are the humane methods, when actually there is no information that they are?

Again, may I say that even though we are convinced of the humanness of shehitah, we would never say to the American community, "All should adopt our method." We wouldn't feel it is our prerogative. We wouldn't feel that that is our right. We wouldn't feel that this is an area in which the Congress can properly act. We would feel that it would be very important for the Senate to adopt a resolution urging the citizens of America, and also the packinghouses, to follow humane treatment of animals, to study what humane treatment is, and urging on the American community the importance of treating animals with kindness.

We feel that would serve a tremendous purpose. But on the other hand, legislation such as this we feel unfairly states that some methods are humane which are not, and may cause us injury in the future, something that we have experienced in many, many lands before.

And as a minority we are extremely sensitive to these things, and certainly it will not solve the problem of humaneness toward the animal. I am convinced, and we are convinced, Senator, that the Senate of the United States, after thought, as you are giving it at these hearings, and also at future discussions with your colleagues, the Senate of the United States will never see fit to pass a bill such as this.

The CHAIRMAN. Are there any further questions?

Senator THYE. I have no questions.

The CHAIRMAN. Do you have anything further?

Mr. FEUERSTEIN. No, sir.

The CHAIRMAN. Thank you very much.

Did Mr. Unwin come in? Step forward, please.

Will you state your name in full for the record.

STATEMENT OF RICHMOND W. UNWIN, ASSISTANT TO THE PRESIDENT, RELIABLE PACKING CO., CHICAGO, ILL., AND REPRESENTING THE NATIONAL INDEPENDENT MEAT PACKERS ASSOCIATION

Mr. UNWIN. Mr. Chairman and gentlemen of the committee, my name is Richmond W. Unwin. I am from Chicago, Ill., and an assistant to the president of Reliable Packing Co., of Chicago, a firm with which I have been associated since 1923.

I am accompanied to this hearing by Mr. Ray Donaldson, general counsel for NIMPA, and Mr. John A. Killick, executive secretary of the association.

I appreciate the opportunity to appear before you today to present the views of the member companies of the National Independent Meat Packers Association on the so-called humane slaughter legislation which you gentlemen are considering.

First, let me briefly identify our association, for which I appear today. In the industry, the association is frequently referred to as NIMPA. It consists of nearly 400 meatpackers located in every section of the United States and engaged in every aspect of the meatpacking business.

As you might anticipate, the word "Independent" in the name of our association is significant in identifying our members. In general, but there are some exceptions, NIMPA members conduct one-plant operations, locally and independently owned, which serve a community or region, in contrast to those packers whose distribution is nationwide or near nationwide. Some employ only 10 or 20 people—some few others may employ as many as 1,000 or perhaps 2,000. My own company employs approximately 400.

I have served in various capacities in the meatpacking business during the past 40 years. In short, meatpacking has been my life's business. As a result, I have become familiar with all aspects of the business, including production, sales, and administration. I believe I can state that the industry recognizes me as a progressive member who lends support to new methods which are in the interest of the industry and in the interest of the public.

I am certain that I need not call attention to the fact that any discussion of so-called humane slaughter is so entwined with emotion that frequently reasonableness and practical business consideration are lost sight of.

Let me state that meatpackers are human beings and are subject to the same emotions as other human beings. But we realize, unfortunately, there is no method to bring death to any animal that can be considered as pleasant. At the same time, we recognize that we must retain the confidence of the American people in our industry and in the products we offer for sale. We believe that this confidence which the American people have in the meatpacking industry is merited and that one of the reasons for it is the realization by the public that the industry is doing everything reasonably possible to improve methods of slaughter.

The CHAIRMAN. In that connection, can you be specific as to your own company? You say that you employ 400 people. How long have you been connected with that company?

Mr. UNWIN. Since 1923.

The CHAIRMAN. What advances has your company made from 1923 to date in reducing the suffering of animals that are slaughtered?

Mr. UNWIN. Senator, if I may continue I think that will be covered.

The CHAIRMAN. All right. I am sorry I anticipated you.

Mr. UNWIN. I do not intend to leave the impression that the industry is satisfied with itself. To the contrary, a tremendous amount of research into new and improved methods of slaughter is being conducted by various colleges and some research laboratories, supported by private company and association contributions.

I should like to cite two examples: Many of you gentlemen will remember Wilbur La Roe, Jr., general counsel of our association for many years. Mr. La Roe passed away last year. As an expression of gratitude for his many contributions to the industry, the National Independent Meat Packers Association has established the Wilbur La Roe Foundation, a principal project of which is to conduct research to improve methods of slaughter.

My own company is sponsoring both research and field testing by eminent authorities at Rutgers University.

Also, industry members individually and collectively are continuing to work diligently with leading manufacturers to develop instruments which will improve methods of slaughter and will enable the public to obtain better meat and meat products at the lowest possible cost.

Moreover, the industry is constantly and continuously exchanging information in respect to improvements in methods of slaughtering. Indeed, this exchange of information is on a nationwide and even a worldwide basis.

For example, the president of the Reliable Packing Co. is at this very time in Europe observing operations in plants in various countries with the hope and the thought that he may be able to bring back some method which reasonably can be adopted to use in his plant and in other plants in the United States.

Our members are concerned about the compulsory type of legislation which is before you in the form of H. R. 8308 and S. 1497. Two reasons, in particular, cause this concern:

First, as I have already stated, the vast majority are independent small-business men who can ill afford at any time, especially during these times, to expend substantial sums of money in plant improvement to install what someone may say is a more humane slaughtering method, unless there is reasonable certainty that the method is more humane and that it will not become inhumane tomorrow.

The very term "humane slaughtering" is relative. No one knows precisely what constitutes a humane slaughtering procedure. And no one can say with certainty that one method is more humane than another method. All methods, unfortunately, involve killing.

Reliable Packing specializes in pork operations. We have considered installation of the gas or CO₂ method of slaughter. But frankly, business considerations convince us that the expense is prohibitive. Then, too, we are not sure that the method is humane. I say this because there is no certainty that carbon dioxide produces genuine pain-free anaesthesia.

The CHAIRMAN. The committee has heard testimony that this method has been used in Minnesota at Hormel for some time.

Senator THYE. I watch Hormel in their slaughter operation.

Mr. UNWIN. That is correct, Senator.

Senator THYE. Of course the hog went in through a chute onto what would be almost like an escalator only it was a flat belt, and it came out at the other end a senseless animal. What took place inside in those few moments I cannot describe because I didn't go through with them.

Mr. UNWIN. Neither can I, and that is the reason that I am stating that we are not sure that this is humane.

Senator THYE. I couldn't answer because I didn't go through with them.

Mr. UNWIN. Second, our members realize that in the highly competitive meatpacking business their prices must be competitive. And any added unreasonable expense by compulsory legislation may well be the difference between their being or not being competitive. Indeed, such expense might be the cause of their being forced out of business. In any event, they know that they can absorb no additional excessive expense. Their margin of profit is too small. And they know that if compulsory legislation is enacted, any increased expense resulting therefrom inevitably will be reflected in the consumers' meat bill, which some think is already too high.

The CHAIRMAN. Do you know whether or not those who have been using the so-called humane methods of slaughter, such as Hormel has, have been selling those products higher than those who do not have such facilities?

Mr. UNWIN. That I could not answer at the moment.

The CHAIRMAN. You could not answer that?

Mr. UNWIN. No, sir.

The CHAIRMAN. Hormel is still in business; is it not?

Mr. UNWIN. That is correct. They are one of the larger companies. let me also state.

The CHAIRMAN. I understand that it is profitable.

Mr. UNWIN. To the best of my knowledge I cannot answer.

Senator THYE. I think I can answer that. Yes, they are very progressive and a prosperous organization.

The CHAIRMAN. Proceed.

Mr. UNWIN. The member companies and the National Independent Meat Packers Association itself wish to be as cooperative as possible on this matter and are voluntarily doing everything that reasonably can be expected to improve the methods of slaughter of livestock in order that better meat and meat products are available to the consuming public.

We seriously doubt that compulsory legislation in the form of H. R. 8308 or S. 1497 is the answer. Frankly, gentlemen, if the industry knew the answer today, its members would proceed with speed to make reasonable changes or modify their plant operations accordingly.

I suggest that the answer will be found eventually by further research and accelerated exchange of information, both domestically and with our foreign friends. Until such time, we sincerely believe that passage of legislation prescribing compulsory standards would be unwise.

Thank you very much for this opportunity to testify.

The CHAIRMAN. I got back to my former question in regard to your own establishment. What have you done since 1923, other than what you have mentioned here, about establishing the La Roe Foundation? Mr. La Roe died last year. He died in the same apartment building where I live. I knew him well while living in the same apartment house with him. I knew him very well. He died only last year.

What had you done before that in order to change methods and in order to attain the goal of being able to kill animals in a humane way?

Mr. UNWIN. Senator, may Mr. John Killick answer that question?

The CHAIRMAN. I was asking you. You said you have been manager of your company and you have been in it since 1923. I thought I could get expert information from you, to be specific as to what your company has done.

Mr. UNWIN. Back in the year 1929 we did some experimental work with electric stunning. It did not prove satisfactory at that time. We have also done some experimenting with different kinds of knocking pistols and captive bolt pistols in the stunning of hogs, which is the only livestock that we kill, and it did not prove satisfactory for our rate of killing. We have not been able to come up with anything.

The CHAIRMAN. What is your present method? How does it differ from what you did in 1923?

Mr. UNWIN. The present method differed from 1923. These years may not be correct because I don't have the data here. But it was approximately 1939 when the president of our company went to Europe and observed the Danish methods. He brought back at that time what in our industry is called a jerkless hoist, the Danish hoist which to our way of thinking does not injure the animal or cause him pain as much as the hoist that was in use in our industry prior to this hoist. That is one of the things we have done.

The balance of it, we still stick them in the same manner, sever the juglar vein after they are hoisted.

The CHAIRMAN. How long does the hog remain suspended before his juglar vein is cut?

Mr. UNWIN. About 35 seconds.

The CHAIRMAN. Thirty-five seconds?

Mr. UNWIN. Yes, sir; approximately over half a minute, sir.

The CHAIRMAN. Now do you wish to expand on that?

STATEMENT OF JOHN A. KILLICK, EXECUTIVE SECRETARY, NATIONAL INDEPENDENT MEAT PACKERS ASSOCIATION

Mr. KILLICK. Only to this extent: Even prior to Mr. La Roe's death he was instrumental, along with the association, in cooperating with the development of the Remington stunning pistol. We opened up the plants of our members to experimental field testing. We cooperated with the company and with the American Humane Society Association in every way in order to help develop the Remington stunning pistol.

The other point that I want to raise, we were making it specifically before Mr. La Roe's death. Since Mr. La Roe's death, Mr. Thompson, the president of Reliable Packing Co., was one of the instigators of some work that is now under way at Rutgers University. This is now

being carried on in the name of the Wilbur La Roe, Jr. Memorial Foundation, even though the foundation has not yet been officially established.

There has been a donation made with instructions that the results therefrom are to be reported to the Wilbur La Roe, Jr. Memorial Foundation.

I was in Rutgers last fall and watched some of the preliminary experiments with a form of electrical stunning that is not electrocution but more nearly resembles the electric shock treatment used in mental therapy. I watched the demonstration with a white rat that was stunned by placing two prongs to its head, and remained stunned for approximately 5 or 6 minutes and then it got up and was perfectly conscious and scampered away.

Since then there have been certain field tests conducted that show promising results. I am very careful here to say that we are not claiming that these are final or conclusive or will ultimately lead to success. They have been carried on in cooperation with the Meat Inspection Division, with meat inspectors present at the time these field tests were conducted.

I will read to you, if I may, portions of a letter here that come from Dr. Roy E. Morse, who is with the food technology department of Rutgers University. He said:

The work to date is extremely encouraging but a good bit remains for completion. The difficulty remains that a narrow margin exists between animals' unconsciousness and lung hemorrhaging. We have successfully found the margins but are working on methods of elaborating these margins to render the process more feasible commercially and more foolproof.

I thought you might be interested in the progress of these experiments which are currently in progress.

The CHAIRMAN. When were these studies that you referred to actually started?

Mr. KILLICK. This particular study was started I would say about a year and a half ago. I am vague as to the actual start of these tests.

The CHAIRMAN. What prompted you to do this? Did the presence of these bills before Congress, that have been introduced from time to time, have any effect on you in getting more of this research?

Mr. KILLICK. No, sir. This is in line with what Mr. Unwin said. Our industry is interested in finding any method that will prove commercially feasible and practical.

The CHAIRMAN. You have been active in the last year and a half and these bills have been before us for the past 4 years, I think.

Mr. KILLICK. One of the reasons that discouraged us up to the time the experiments were started were the unsuccessful methods that had been used abroad, where the lesions, lung hemorrhaging, made it impossible for the inspectors to properly identify the source of the lesions.

The CHAIRMAN. Some evidence was produced today to the effect that some of the methods that were thought to be humane abroad are now being abandoned.

Mr. KILLICK. That is correct.

The CHAIRMAN. Are you acquainted with any of that?

Mr. KILLICK. Only by hearsay.

The CHAIRMAN. You don't know of your own knowledge?

Mr. KILLICK. I do not know of my own knowledge.

The CHAIRMAN. Are there any further questions?

Senator THYE. I have none.

The CHAIRMAN. Thank you, gentlemen.

Has Mr. Hall come in?

(No response.)

Rabbi Levinson, is he present?

(No response.)

Mr. Sidney Blumenkrantz?

Mr. GREENWALD. Mr. Chairman, I am David Greenwald and I will speak instead of Mr. Blumenkrantz if you don't mind.

The CHAIRMAN. Proceed.

STATEMENT OF DAVID H. GREENWALD, RETAIL KOSHER MEAT INDUSTRY COUNCIL, NEW YORK, N. Y.

Mr. GREENWALD. I am David Greenwald, speaking on behalf of the Retail Kosher Meat Industry Council, representing some 4,000 retail kosher butchers, mostly on the eastern seaboard of the United States.

We have a short prepared statement. I would prefer to ignore the statement for the moment and discuss this bill itself and tell you what we feel is wrong with it.

You pick out at the very outset section 6, which you thought was a guaranty, and an exemption for all kosher slaughtering here in the United States.

The CHAIRMAN. I didn't pick it out. I just cited it. I don't know. I am just asking for information.

Mr. GREENWALD. Let me show you one thing right off the reel immediately wrong with it. Section 6 would be fine if all kosher slaughtering were done by people of the Jewish faith. The very last sentence here "in conformity with the practices of the requirements of his religion." Slaughtering, however, is done by two types of people. One is the corporation, which has no religious faith, and the other is mostly by non-Jewish slaughterers. Most of the slaughtering operations of this country are done by non-Jewish owners.

They may employ kosher shohet to do the actual slaughter and sell in the kosher market but they are not essentially Jews.

As a practical proposition, while the animal is slaughtered as kosher—and this was brought out in previous years that we have been here—only the upper part, the forequarter of the animal is used in the kosher trade, because the animal must be deveined before it can be consumed by people who use kosher meats.

There are very few veins in the forequarter, but a tremendous amount in the hindquarter. Because it becomes impractical to devein a hindquarter, the hindquarter of the animal is sold completely on the nonkosher market. It forms a tremendous amount of the meats used in the restaurants, and—

The CHAIRMAN. Mr. Greenwald, would you pardon us? We have to go to the Senate for a vote.

We will stand in recess.

(A short recess was taken.)

The CHAIRMAN. The committee will please come to order.

You may proceed.

Mr. GREENWALD. I had mentioned the reading of section 6 and how this might usually affect the slaughtering operations by non-Jews who slaughter kosher meats.

It is very interesting, Senator, the definitions of the humane methods of slaughter that are contained in paragraph 2. Nevertheless, paragraph 3 provides that no meats have been sold to any Federal agency or instrumentality except if a humane method is approved by the Secretary of Agriculture, not pursuant to section 2, mind you, but section 4.

Section 4 merely provides that he shall conduct and have experiments and come to a determination.

I believe that he is not bound by section 2 of this proposed legislation and he may very well say that no Federal agency or instrumentality may purchase any meats which, prior to slaughter, are either shackled, hoisted, thrown, or cast, all of which or any one of which method might be requisite to kosher operations.

The CHAIRMAN. That is not in section 4.

Mr. GREENWALD. No, sir.

The CHAIRMAN. I thought you said he had to comply with section 4.

Mr. GREENWALD. Section 4 merely provides that he shall approve a method after he has had experiments in methods of slaughtering and handling of livestock, et cetera. But nothing provides that he should be bound by section 2 which gives you the either/or type of slaughter operations.

So there is nothing in this bill that would prohibit the Secretary, after this bill becomes law, from saying that "I will not approve meats from animals which have been cast or thrown or hoisted prior to slaughter." And in kosher slaughtering methods those operations are necessary before the actual slaughter takes place.

Now, sir, we are confronted with this possible situation: A man slaughters for kosher. The forequarter of the animal is used in the kosher channels. The hindquarter might normally be sold to Federal agencies or instrumentalities. By action of the Secretary that meat might no longer be available for such purposes. The price of the forequarter might then soar to such a fantastic height as to make the price of the forequarter unpractical and uneconomical.

We, the retailers in this business, are interested in keeping a supply of kosher meats flowing through normal channels in interstate commerce. We see in here a danger that kosher slaughtering may become so expensive and so unfeasible that our source of supply will be drained out.

Those are the points that we should like to make.

The CHAIRMAN. Thank you.

(Mr. Greenwald's prepared statement is as follows:)

This memorandum is submitted on behalf of the Retail Kosher Meat Industry Council, a trade association with whom is affiliated the retail kosher butchers in the Eastern States of the United States.

The statements herein are directed toward proposed humane slaughter legislation, and particularly toward Senate bill 1497, introduced by Senator Hubert H. Humphrey, which is identical with House of Representatives bill 8308 and which was passed by the House of Representatives.

We wish to make it clear that we are in favor of the humane slaughter of livestock and poultry. We feel that the slaughter of livestock and poultry in accordance with the requirements of the Jewish religious faith is humane and acknowledge that such slaughtering method is recognized as being humane in the said bill.

We feel, however, that such recognition of kosher slaughtering methods as humane, as set forth in the bill, may be rendering only lip service and may nevertheless restrict, hamper, and possibly halt kosher slaughter of livestock and poultry in the United States.

At present, in the kosher slaughter of livestock, the animal is either shackled, hoisted, thrown, or cast to bring it into position for the slaughtering operation. In kosher slaughter it is religiously forbidden to render the animal insensible prior to slaughter either by a blow or gunshot, or by electrical or chemical means.

There is nothing contained in the bill which would prevent the Secretary of Agriculture from hereafter requiring that even in kosher slaughter that the animal may not be either shackled, hoisted, thrown, or cast before the slaughtering operation. It has been said that kosher slaughtering could be accomplished by use of the Weinberg pen or similar device in which the animal is turned over in a rotating drum. This method is used in Great Britain. It is extremely slow and because of this fact alone would raise the cost of kosher slaughtering to the point where it would be tremendously uneconomic for anyone to engage in the kosher slaughtering business. And even if some foolhardy soul thought he could continue kosher slaughtering, he might still be stopped from selling the meats from said animals so slaughtered to any agency or instrumentality of the United States. It is also possible that the Weinberg pen would be considered an inhumane method of handling the animal prior to slaughter.

We are opposed to any legislation that in any manner whatsoever would tend or result in the restraint of or restrict the free traffic in interstate commerce of kosher meat, meat products, and poultry. We believe that this bill could lead to such restraint or restriction.

It should be pointed out that members of the Hebrew faith consume only the forequarter of the animal, as it is economically impractical to devein the hindquarters. As a result, only the forequarters of kosher slaughtered animals are sold as kosher and the hindquarters are sold in nonkosher channels, including possibly agencies or instrumentalities of the United States. It is obvious that a ban on kosher slaughtered meat to such agencies or instrumentalities would seriously affect kosher slaughtering.

We are opposed, therefore, to any legislation which might so interfere with kosher slaughter. We do favor, however, the enactment of a study bill such as S. 1213. We feel that the results of such a study would lead to legislation which would not be harmful to so many persons engaged in the kosher slaughtering business and in the wholesaling and retailing of kosher meats as well as the consumers of such meats.

The CHAIRMAN. Are there any questions?

Senator SYMINGTON. I have a query I would like to ask for the record. I am sorry it was impossible for me to be here before, Mr. Chairman, otherwise I would have asked this question before.

Rabbi Lewin, who was here earlier, testified, as I understand it, for this bill, as amended, but now he has changed his position on that. Did that come up in the testimony at all? If so, I wonder why he changed.

The CHAIRMAN. I know he is opposed. I never knew he was for it. We have a letter from Congressman Multer here clarifying his own position. Although he fought vigorously for the bill he now prefers a study bill.

Senator SYMINGTON. Congressman Multer was also for the bill.

The CHAIRMAN. He says now, and I am quoting from a letter from him that was sent to me today:

May I take this opportunity of saying to you that despite my vigorous support of H. R. 8308, as amended on the floor, I still would prefer a bill like that which the Senate passed in the last session of Congress calling for a commission to study the problems.

So evidently he has changed his mind. I don't know about Dr. Lewin; I didn't ask him the question.

Senator SYMINGTON. Does anybody know whether Rabbi Lewin changed his mind?

Mr. GREENWALD. I know for a fact he never supported the proposal.

Senator SYMINGTON. I heard that he supported it as of February 4. I just wanted the record to show that is an incorrect situation.

Mr. GREENWALD. I have attended most of these hearings. My personal recollection is that he has always opposed it.

Senator SYMINGTON. Thank you.

The CHAIRMAN. Our next witness is Mr. Delman.

STATEMENT OF J. DAVID DELMAN, NATIONAL COUNCIL OF YOUNG ISRAEL, NEW YORK, N. Y.

Mr. DELMAN. Thank you, Senator.

I will not go into the religious details that have been covered so well.

My name is J. David Delman. As past national president, I am duly authorized to speak today in behalf of the National Council of Young Israel, an organization of almost 100 modern traditional synagogues with a membership and following of 50,000 American men and women. We have thousands of clubs for Jewish youth in which religious training is given to them, and are also kept off the street in various gymnasiums that we have and with other work that they do. Our work is nationwide. That is the difference between our organization and the organizations from which you have heard.

I came here authorized to speak to you about this bill. I have prepared a statement of the National Council of Young Israel. But frankly, with all the testimony that you have heard, and that I have heard today, I don't want to tax the patience of this committee in reading the statement and go over the various points that have been submitted here.

Please take my assurance, though, that the National Council of Young Israel is unalterably opposed to the bill as it is. We don't believe that any change or any alteration or modification can be made to cover the various things that we think should be covered, and we concur greatly with what Dr. Lewin, and particularly Rabbi Sharfman, had spoken to as in opposition to this bill.

I want to say that our organization, consisting as it does of various young men—if you will pardon the interruption, I had the president of the intercollegiate group of our organization; he went out at the same time that you went out to vote—just to indicate to you the young people that we have.

All these young people are most of them third-generation Americans. I happen also to be an American, and in the full conscience of my duties as a citizen. I am an American and a department commander of the vets.

Senator SYMINGTON. Excuse me, is this your statement?

Mr. DELMAN. Yes, sir.

Senator SYMINGTON. Are you reading from the statement?

Mr. DELMAN. No, sir.

Senator SYMINGTON. Do you plan to read from the statement?

Mr. DELMAN. I do not. I just expressed that. These things have been gone over. I will be glad to read it and talk on the statement.

Senator SYMINGTON. I just didn't understand.

Mr. DELMAN. I am not reading from the statement.

Senator SYMINGTON. I want to follow you in the statement if you are reading from it.

Mr. DELMAN. No, sir, I am not. The statement covers our thoughts in the matter. In addition we concur with what has been said here by the other gentlemen.

That is all I have to say, sir.

The CHAIRMAN. Do you want your statement to go in the record?

Mr. DELMAN. Yes, sir.

The CHAIRMAN. Without objection it will be filed for the record.

(The above-mentioned statement is as follows:)

My name is J. David Delman. As past national president, I am duly authorized to speak today in behalf of the National Council of Young Israel, an organization of almost 100 modern traditional synagogues with a membership and following of 50,000 American men and women.

As people adhering to the traditional Jewish law, we most sincerely identify ourselves with any movement motivated by compassion and concern for God's creatures. The basic principle of the Torah (Bible) prohibits the causing of pain to any living creature and it finds its practical application even in such laws that prescribe Sabbath rest for animals and the prohibition against muzzling an ox while threshing. The rabbis of the Talmud carry the injunction against cruelty to animals even further in prohibiting the owner from partaking in food himself before feeding his beasts. Hunting is forbidden merely for the sport. Nevertheless we are in deep opposition of the humane-slaughter bill now before the Committee on Agriculture and Forestry of the United States Senate; specifically S. 1497 as amended, the companion bill of H. R. 8308.

We are concerned with the following:

(a) The bill itself does not actually indicate the most humane methods.

(b) The fact that this bill will, in all reality, prevent ritual slaughtering (shehita) and will de facto violate a principle of religious freedom given de jure.

ANALYSIS OF BILLS S. 1497 AND H. R. 8308 AS AMENDED

The congressional committee has encountered great difficulty in writing the bill. The uncertainty of what constitutes humane methods of slaughter is highlighted by section 2, which is couched in negative language because it is impossible to set forth affirmative criteria of the humaneness. It approves of humane methods of slaughter, strangely enough, those which in fact are presently deemed inhumane by the United States Department of Agriculture, among others.

The bill states specifically that animals may be rendered insensible to pain by 1 of the following 4 methods:

- (a) A single blow or gunshot.
- (b) Electrical stunning.
- (c) Chemical drugging.
- (d) Other means, rapid or effective.

Let us analyze these four points:

(a) A single blow is now the practice in most slaughterhouses as far as cattle are concerned. It is, however, a fact that a single blow rarely renders an animal insensible. Testimony has been presented that sometimes over 20 blows were used. If the first blow is insufficient, is the animal to be allowed to suffer?

(b) According to the testimony of the experts of the United States Department of Agriculture, electrical stunning is a disapproved method because it is not always accompanied by unconsciousness, because of the lesions produced in the lungs of the animal, and because such method renders impossible proper examinations of the carcass.

(c) Chemical: This method has been found practicable only in the case of hogs and even there its effectiveness is questioned by many authorities. In the case of turkeys, for instance, and cattle, chemical stunning has produced asphyxiation, with the fowl and cattle exposed to great preceding torture.

(d) Other means that are rapid and effective: Obviously, these have no particular meaning since the law does not specify what they are.

At the present time, the humaneness of these methods is questionable and legislation characterizing such methods as humane is not warranted by present scientific evidence.

The exemption for ritual slaughtering (shehitah) is not an exemption in reality. During debate in the House of Representatives and in accordance with interpretations given by its sponsor in the Senate, this bill actually prohibits shehitah by outlawing reasonable forms of restraint which are used in connection with ritual slaughter. As reported in the Congressional Record of February 4, 1958, this bill does not establish criteria for humaneness. It nevertheless empowers the Department of Agriculture to prohibit any form of handling conscious animals which they may deem inhumane. In a letter by True D. Morse, Acting Secretary, Department of Agriculture, Congressional Record, February 4, 1958, we learned that the Department of Agriculture would have no course other than to "require such live stock to be rendered insensible prior to slaughter contrary to most religious laws."

Those familiar with the Weinberg pen know that it is impractical on the American scene and can best be used only for large cattle and not for sheep or calves.

We realize that congressional leaders would welcome changes in the bill which would eliminate the objections of the Jewish community. After serious study we regret that we must come to the conclusion that these amendments are not possible within the confines of the present bill.

May we respectfully report that this bill will have a most profound effect upon the prestige of the United States of America in foreign lands. Inasmuch as this bill will, in fact, prevent religious freedom by denying shehitah, it may be misunderstood in other lands as official sanction of religious regulation and discrimination.

The problem of humane slaughtering is a real one. We are convinced, however, that the present bill does not answer the basic questions.

Inasmuch as slaughter is only one aspect of the treatment of animals and inasmuch as no concern has been expressed for the mistreatment of animals in branding, castrating, dehorning, docking, hunting, etc., the bill is still inadequate.

We must, therefore, state that as traditional observant American citizens, we oppose the present legislative efforts to pass the humane slaughter bill as it now stands. Our organization and the American Jewish community offers its full facilities toward an educational program designed to solve the problem of humane treatment of animals.

We must in good conscience, as good American citizens, respectfully express our opposition to the measures before this committee.

Mr. DELMAN. May I also state, we have here a young man, the president of the intercollegiate group and a member of the various college groups, Joseph Lauer, who was supposed to sit with me.

The CHAIRMAN. You speak for him?

Mr. DELMAN. I do.

Senator SYMINGTON. Mr. Chairman, I have a couple of questions of the witness, based on his statement. I am trying to get a couple of things clear in my mind.

The CHAIRMAN. Surely.

Senator SYMINGTON. You say that this bill will have a most profound effect upon the prestige of the United States of America in foreign lands. We understand that there are a lot of foreign lands that already have a humane-slaughter bill comparable to the bill that is being recommended. Mr. Delman, what would be your comment on that?

Mr. DELMAN. My comment on that is this: That, wherever a bill, a so-called humane-slaughter bill, has been passed in various other countries, the results were not satisfactory. It brought in additional discriminatory acts.

The bill is on the verge of being lost entirely. We could not comply with the so-called humane things because of the necessity of being regulated by certain administrative agencies in our religious work.

That is, in some countries that are liberal, like Denmark and Norway—I believe Norway, too. But, in other countries, Poland, the old Poland—I don't know the present Poland—they passed an anti-shehitah bill. That was passed with the purpose and intent of an anti-Semitic act primarily, and for no other reason.

Senator SYMINGTON. Of course, that is disgraceful.

Mr. DELMAN. This is Mr. Lauer that I spoke about. He is president of the intercollegiate group.

Where you have liberal countries where the antishehitah or humane bill is passed, the results bring about such anti-Semitic fervor, where they will indicate by this very exception that we have here, the very exception to section 6: the mere fact that this is there indicates that the shehitah or Jewish method of slaughter is not humane. Why continue with this kind of cruelty to animals?

Senator SYMINGTON. One more question. You say:

The problem of humane slaughtering is a real one. We are convinced, however, that the present bill does not answer the basic questions.

Have you, or any of your good people who are interested in this bill, from your standpoint, suggested a bill that you think does answer the basic questions?

Mr. DELMAN. No, sir; we have no bill that can answer the basic questions. We know there are certain parts, certain changes that should be made. But we cannot see how this can be effected. We simply could not find any modification that should be made.

Senator SYMINGTON. This is getting a little silly, from the standpoint of referring it back for study, because it has been studied for many years. We should say we are against it or for it, and not say we will study it as a way of deferring it. It should be considered on its merits.

Mr. DELMAN. Senator, I know you are one of the most liberal Senators in the United States Senate.

Senator SYMINGTON. I appreciate that comment.

Mr. DELMAN. I know your record, and I know your record with the Air Force and Army. I am interested, and I am a veteran myself.

Senator SYMINGTON. And I might say that I am a great eater of meat, too.

Mr. DELMAN. I want to tell you this, Senator: That, as far as this bill is concerned, it steps and treads upon my religious convictions, as far as the kosher laws are concerned. If this is passed, I cannot eat meat.

Senator SYMINGTON. Nobody respects a person's liberal convictions more than I do, and I admire your sincerity. What I am getting at is that you are opposed to the bill not because you think it should be studied more, but just because you don't think that any bill along these lines could satisfy you, from the standpoint of your religious convictions; is that correct?

Mr. DELMAN. You are right. I am opposed to the bill because it cannot satisfy our religious convictions. However, if further study—I am saying that not facetiously, but very, very seriously—if further study by this committee and rabbinical authorities will find a method wherein changes will be made that would comply with my religious understanding of the rabbinical understanding, I will be for it.

Senator SYMINGTON. It has been studied since 1929.

Mr. DELMAN. And nothing has come of it.

Senator SYMINGTON. No matter how dumb we are here, we ought to graduate between 1929 and 1958.

Mr. DELMAN. Sometimes it takes a long study, and long preparation. Our organization—I don't want to speak for others—doesn't say that study is necessary or not necessary. That is within the province of you Senators, of you gentlemen. We say we are opposed to the bill. We studied it a long time, and can't find any method of changing it to comply with our form of religious convictions.

It would mean, in many instances, I know, that these religious observant Jews, orthodox Jews, following the dietary laws, will be prevented or made to abstain from meat. And I think that would be a terrible thing to happen in our country, where religious freedom is uppermost and where we believe in religious freedom for all concerned.

Another point is this, and it was made earlier in the day: With all this humaneness, with all this question of being humane to the poor animals, none of the other religious faiths have come out in favor of this bill; neither the Catholics nor Protestants have come out in favor of this bill. It would seem apparent that, where humanity is spoken about, religious organizations would come out for humanity. But if I may say so—perhaps this is too strong a word to use—I think this is a phony humanity, without in any way saying that those people who propose it are not sincere. I believe in their sincerity, but, still, I say it is not humanity.

So far as we are concerned, the Jewish way of slaughtering is humane. Of course, you have to kill the animal, but, as far as causing the least pain possible, that is the way that has been proven. I have seen it; I have studied it, and I didn't want to repeat all those quotations that have been put forth today.

Senator SYMINGTON. Thank you, Mr. Chairman.

The CHAIRMAN. As I pointed out this morning, there seems to be no way to amend the bill so that it will be acceptable to these various Jewish organizations. I think the record is replete with that. I tried to bring it out. They are actually opposed to any sort of legislation, except, as Congressman Multer stated in his letter, he is for further study of humane methods and trying to get the various organizations and individuals who slaughter animals to use any newly found methods, more or less on a voluntary basis, rather than compulsory.

Mr. DELMAN. Thank you, Senators.

(Telegram filed by Leo Pfeffer, Associate General Counsel, American Jewish Congress, New York, N. Y.):

MAY 14, 1958.

COTYS MOUSER,

Secretary, Senate Agriculture Committee,

Senate Office Building, Washington, D. C.

DEAR MR. MOUSER: I am happy to reply to your request that I clarify the present position of the American Jewish Congress in respect to the humane slaughtering bill now being considered by your committee. The objective of achieving humane slaughtering practices, however worthy the goal, is beyond the purview and scope of the program of the American Jewish Congress. For that reason the American Jewish Congress has never taken any position regarding humane slaughtering legislation as such. Our interest in the present bill and predecessors arises from our concern with the protection of the right of Jewish religious slaughter known as shehitah in accordance with our policy. Therefore, while we do not endorse humane-slaughtering legislation, we do not by the same taken oppose such legislation if it is clear that it does not restrict or

handicap slaughtering in accordance with the requirements or practices of the Jewish religion or the handling and preparation necessary for such ritual slaughtering. This has been and remains the position of the American Jewish Congress.

AMERICAN JEWISH CONGRESS,
LEO PFEFFER.

The CHAIRMAN. Mr. Mendowitz. I understand that you have a short statement.

STATEMENT OF HAROLD MENDOWITZ, WASHINGTON, D. C.

Mr. MENDOWITZ. Yes, sir.

The CHAIRMAN. Proceed.

Mr. MENDOWITZ. First, I want to thank the committee for allowing me to testify. I represent myself; there are enough organizations represented. I want to give my own point of view. First, I would like to state there is no question everybody agrees with humanity and the principles and motives behind the bill. I don't question the motives of the people sponsoring the bill. However, I am against the bill; not the motives, but the bill itself.

First, on the basis of historical fact. Wherever such a bill has come into being, although there was provision for exemption for shehitah, in the long run it has happened that there was always some anti-Semitic outbreak and shehitah was forbidden.

I realize that we are living in the United States and not in some backward country, and we have our rights protected by the laws and traditions of this country. But, even in any democracy, I believe in the long run wrongs will be righted. But sometimes wrongs do exist, and it is in the method that democracy is made up that in the long run it will be. But I don't want my child or myself or my grandchildren to live in a time when he will be subjected to a wrong which is not democratic.

The other point I would like to make is the following: Congress is now dealing in legislation which is a question of ethics—humaneness. I question the wisdom—personally, I feel it is wrong for Congress to define what is humane in actions which do not deal with man to man. Because then we are getting into the realm of what you may define as humane, and I may define as humane. We may not agree, and churches may disagree, and we get into legislation which may affect church and state.

With respect to the shehitah bill itself, the exception to shehitah, the reason which prompted me—I am not a representative of an organization—to come down today and speak against this bill is because I was discussing this bill with a colleague of mine, one I consider very intelligent. After discussing the bill with him, he agreed it is very good to have a humane bill.

I asked him, "Under these provisions, would you disallow shehitah?" He said, "No." In discussing his definition, shehitah is not humane. I believe, since it is divinely ordained, it must be humane. My neighbor may disagree. That is ethics. Congress should not deal in ethics.

As an example, in the rules of shehitah, hunting is not permitted. I will defer to the rabbinical bodies to back me up. The reason, I understand, is because an animal does not die necessarily painlessly

when it has been shot by a bullet or arrow, and we know it has happened while hunting. Animals go on living, but maimed for life because of bullets. Although I, personally, may or may not be against hunting, I don't think it is my prerogative to define ethics or ask Congress to legislate ethics.

In summary, I would like to say that I think that in dealing with ethics Congress is treading on very dangerous ground in trying to legislate ethics. This should be done, as pointed out previously by Rabbi Sharfman, by schools, churches, and other lay organizations, not by the Congress of the United States.

I have come here because of the fear of what may happen, and it may be a short-term period, but the possibility is that wrongs may happen because of this bill.

The CHAIRMAN. Thank you.

Did Mr. Hall come in?

(No response.)

Rabbi Rubin?

Senator SYMINGTON. Mr. Chairman, before Rabbi Rubin testifies, could I ask what are the plans of the committee for tomorrow and/or Thursday?

The CHAIRMAN. We have a long list of witnesses here. Tomorrow we will hear from the Department of Agriculture and Colonel Seely, of the Veterinary Corps of the Army Quartermaster, and Mr. Harvey, who is Deputy Commissioner of the Food and Drug Administration. Thursday, we will listen to rebuttal testimony, which is usual.

Senator SYMINGTON. Thank you, Mr. Chairman.

The CHAIRMAN. In other words, we have heard the proponents; now the opponents; then the departments affected, and then rebuttal testimony.

Senator SYMINGTON. Thank you.

STATEMENT OF RABBI MENACHEM MENDEL RUBIN, REPRESENTING THE CENTRAL RABBINICAL CONGRESS AND THE UNITED CONGREGATIONS OF UNITED STATES AND CANADA, NEW YORK, N. Y.

Mr. RUBIN. My name is Rabbi Menachem Mendel Rubin. I represent the Central Rabbinical Congress, 136 Broadway, Brooklyn, N. Y., an organization consisting of 250 orthodox rabbis and grand rabbis and the 250 synagogues of the United Congregations.

We join in support of the statements made by our colleagues who have appeared here today to state the unacceptability of bill S. 1497 from the point of view of religious Jewry.

May I underscore two important points:

1. We speak from firsthand experience to said legislation. Our members who witnessed in other lands the devastating effect that such a bill can lead to, approach this legislation with great trepidation.

2. The practical effect of the present bill will only hamper the handling of the animal prior to kosher slaughtering and thereby render shehita impossible.

For these reasons we join in the views expressed by other Jewish organizations.

The CHAIRMAN. Do you know of any Jewish organizations that favor this bill?

Mr. RUBIN. No, I don't. I don't think there is any.

The CHAIRMAN. In the rebuttal testimony I would like to find that out. I would like to invite any Jewish organization that is for this bill to testify. There has been quite a bit of conflict and statements in the record about it. I would like to offer the opportunity to anybody, any Jewish organization that is for the bill to testify here Thursday, because there has been quite a bit of conflict as to who is for what.

Mr. RUBIN. I don't know of any Jewish organization, especially a religious organization, that is for the bill.

The CHAIRMAN. Thank you.

The last witness scheduled for today is Mrs. Peder P. Schmidt. I notice you have a long statement. Do you wish to read it or would you prefer highlighting it and put it in the record in full?

STATEMENT OF MRS. PEDER P. SCHMIDT, MINNEAPOLIS, MINN.

Mrs. SCHMIDT. I can highlight it or comment on it, if you prefer to have me do it.

The CHAIRMAN. The whole statement will be put in the record, and if you will highlight it I would appreciate it.

(The statement follows:)

I testified before this committee on humane slaughter in 1956.

I canvassed the Senators last year asking them to substitute the Watkins bill on humane slaughter for the Humphrey bill on inhumane slaughter.

The Watkins bill, S. 1213, briefly stated, provides authority for a 2-year research and investigation under the Department of Agriculture of the humane slaughter and handling of all livestock and poultry.

On the other hand, the Humphrey bill, briefly stated, advocates compulsory methods of slaughter as yet unidentified.

Strangely enough, this bill also exempts the most inhumane type of slaughter. The combination of "compulsory methods" and "exemptions" has a devil buried in it. I am sure that the author of this bill, Senator Humphrey, from my home State, is not aware that his bill has a "devil buried in it."

The present system of inhumane slaughter under the Humphrey bill would continue to go on. This is described by Mr. Fred Myers in the House of Representatives hearing on humane slaughter, April 2, 12, 1957. I quote from Mr. Myers' testimony, pages 116, 117, 118:

"I have watched kosher production in large packing plants a very great deal. * * * At the Esskay plant (Baltimore) for example, the process is that a perfectly conscious and active steer is shackled by a chain around one hind ankle, the shackling pin is opened on one side, and the steer is then hoisted while struggling to remain on his feet and he hangs by one ankle, as much as a thousand pounds, before his throat is cut."

Evidently the steer moves along the conveyor belt to the killing floor. It may take many minutes before its throat is actually cut. In the meantime, it smells the stench of death and hears the other animals' cries of pain and fright in their death throes.

That steer's meat, when eaten, could produce killers, neurotics, psychotics and other mental and nerve disorders.

Quoting from that same hearing, page 123, the Honorable William A. Dawson, United States Representative from the State of Utah, says:

"Humane slaughter has been compulsory in Switzerland since 1874. England adopted a similar law in 1933. Other nations requiring humane slaughter are Norway, Netherlands, Scotland, Ireland, Finland, Sweden, New Zealand, and Denmark. In each of these countries, humane slaughter has proved itself to be economically feasible."

After 19 years (1874-93), of the Humphrey type of law, Switzerland found it desirable to eliminate the one exemption in the law. Note: This exemption is the bone of contention in the Humphrey bill.

This change in the Swiss law is mentioned in the Jewish Yearbook of 1955, page 343, which states:

"Since kosher slaughtering had been prohibited since 1893, it was necessary, when new agricultural law was introduced on January 1, 1955, to take steps to assure that the importation of kosher meat would continue to be possible in the future."

The same Jewish Yearbook, pages 367, 368, states:

"In November 1953, German Animal Protection League insisted the anti-shehitah law of 1933 be enforced to stop ritual slaughter which had not been enforced since occupation * * *."

Switzerland is perhaps the most peaceful nation in the world. When a killing occurs there it is generally committed by foreign elements. Compare Switzerland with Chicago and New York City where most of the kosher meat is processed and sold. Teen-age gangs roam the streets of our major cities and gang wars and killings are daily occurrences, our newspapers report. Harrison E. Salisbury of the New York Times has a series of seven articles beginning March 24, 1958, which describes the teen-age gangs, their killings, their destructiveness, their weapons, etc.

Humane slaughter for humanity's sake is the underlying factor or cause for humane slaughter in Europe. This thought has been handed down to us since the days of Moses. The Lost Tribes carried the idea with them wherever they went. I belong to the House of Dan. In my childhood days I learned in my native country of Denmark that no mother who was either pregnant or nursing a child was ever to eat meat or food prepared from the meat of the animal that had been slaughtered in the method that would be allowed in the exemptions of the Humphrey bill.

The history of the humane societies in the United States goes nearly 100 years, representing millions of Americans. Many of these societies have been very strongly urged to work for the passage of the number of humane slaughter bills that resemble the Humphrey bill.

There have been a great number of these bills introduced into Congress. Most of them differ only slightly from each other.

This great pressure group of humane societies has been flooding Congress with mail. Actually these societies are promoting more inhumane slaughter. I say this because the Humphrey bill is not what it appears on the surface to be. The exemptions of the bill (which are inhumane slaughter) can, and possibly will be, in a short time, the all-inclusive type of butchering in the United States.

As a member of the Minnesota State Humane Society for some years I can sympathize with the sincere efforts of these societies in their attempts to promote laws for animal welfare.

This large group of wonderful people have been directed to be overly concerned with the crumbs of the bills instead of the crust of the matter.

I am also a pressure group. But a pressure group of one. I am concerned with the crust of the matter.

The one exemption in the Humphrey bill is kosher slaughter.

Gentlemen, I want to say this: Kosher slaughter is not humane slaughter.

I also want to make one further statement: I do not and I will not criticize any religion or any ritual of any religion. Neither do I want to be criticized for any beliefs I have in my religion. I respect America's great freedom of religion and I have the right to demand that respect from and for others.

I know of many people, even among Hebrews, who have become vegetarians by necessity and not by choice. They do not want their children to eat kosher butchered meat and to grow up with the brutal tendencies they felt the children would acquire from meat so brutally killed.

These feelings and thoughts were expressed by the Kansas City, Mo., Humane Society when it was incorporated in 1883:

"A child reclaimed from brutal thoughts and the haunts of vice is not only a soul lifted from the depths, but is also a safeguard instead of a menace to the home and to the State and Nation."

The beliefs that have come down to us through the centuries are that the poisons that are poured into the bloodstream of a frightened and terrified animal before slaughter, tends to make the meat tough and tasteless. This poison in the blood is similar to the poison of the adrenalin in the bloodstream of frightened humans.

According to the Department of Agriculture, the most skillful methods of slaughter cannot eliminate the last one-fifth of the blood which always stays in the carcass.

The only protection an animal has from pain or the fear of harm or death is flight or to fight to kill. Either of these actions causes poisons to be introduced into the bloodstream. This is nature's way to enable the body to flee or to fight for protection.

This fear and intent to kill is transferred to humans through the eating of the meat of an animal killed under either of these circumstances. Infants, from the time of conception, absorb this fear and intent to kill through the mother.

This is what Moses tried to convey to the people when he admonished them to slaughter their animals for food in the most humane way known to them at that time. The animals were to be slaughtered quickly, with a sharp knife, without arousing fear in them and they were to be bled thoroughly.

Kosher meat sold through the regular market channels should be labeled as kosher butchered. This will allow the purchaser a choice.

Most other meat except kosher has been slaughtered humanely through a variety of stunning methods. Some of these methods are better than others. There is still room for improvement.

The kosher trade buys only the front half of the carcass and drops the hind quarters in the market place.

This is the method of selling kosher meat (Fred Myers' testimony, House of Representatives hearing on humane slaughter, April 1957, pp. 116-118).

The devil buried in this bill has a previous history :

Foods: Milk, grain, meats.

Methods: Use of legislative bodies to gain control of our main food products.

Results: Prohibitive costs for the small-business man. Large trusts, monopolies, price setting, complete control.

In the Minnesota State Legislature in 1949 the pasteurization of milk was ordered compulsory within a given length of time. But due to the prohibitive costs of installing pasteurizers, the small creameries were obliged to sell out to the large milk trusts.

This was done with apparently no publicity and without a public hearing before the committee. It was done so quietly that 6 months after its passage even the president of the Farmers' Union, which represents a large percentage of farms of this great dairy State, was still unaware of this new law. And all the time the milk trusts were gathering up the little creameries for a song.

The legislative body was used to allow the trusts to take over the milk industry in Minnesota.

In the Minnesota State Legislature in 1951 the increased costs of elevator storage of grains were being debated in committee. The small elevator owners and operators were running at a loss and needed the increased revenue. The large trusts opposed receiving increased revenue. My testimony changed the committee vote completely around from 4-5 to 8-1 for the bill, in favor of the small-business man. This committee action stopped the trusts from gaining control of Minnesota grain elevators.

The legislative body was not used to allow the trusts to take over the grain industry of Minnesota for that year.

I testified before the Minnesota State Legislature in 1951 on many and varied issues. Twenty-five or more bills passed, were blocked or were amended through my direct efforts.

Gentlemen, I batted 1,000 on the bills I worked on. This is a matter of record.

In my testimony on Senator Humphrey's humane slaughter bill, S. 1636, May 1956, page 154, I stated :

"I see in this bill the same danger to our meatpackers. If this exemption (kosher butchering) is going to be in this bill, what is there in here which could stop the small * * * plant and others—from being picked up because such a method could be set up which would be prohibitive due to costs to the small plant.

"They would have to sell out their businesses. When they were picked up by the bigger plant what would there be under this bill or law to stop the kosher butcher to still be the predominant factor?

"All they would have to be is have one man in each slaughterhouse and we would have no different law than we have today. For that reason I am (not) supporting your bill, Senator Humphrey, * * * but when I read the bill Monday, I also saw grave danger in it."

According to the New York Times, March 24, 1958, there is a revolution now in the livestock industry which makes that industry extremely vulnerable for a complete take over by cartels and trusts. Of course, monopolies and price

control follow as a rule. Smaller family farms will be eliminated and home life destroyed, sending more unemployed into cities in search of a living.

The hour of learning and living is always immediate. We must focus it, then, to this hour of space and time. Each of us as we live it. Man has a tendency to live in the past; to judge by the past. We must learn to gage for the future equally as well.

Children of street gangs are citizens of tomorrow, whether they live in homes or in penal institutions.

Gentlemen, I hope you now have seen the devils buried in this bill. I will again request you to substitute the Watkins bill for the Humphrey bill. I feel that my testimony and the testimony of others who oppose the Humphrey bill will show you how badly we are in need of further education, research and investigation on humane slaughter.

May God Bless this Nation and all within and may He give you gentlemen the wisdom to choose wisely in the decisions on this bill.

Mrs. SCHMIDT. I testified before this committee on humane slaughter in 1956. My main concern on this issue is this: That humanity is not considerate at all. In Europe—I happen to be a native of Denmark, and in the territory where I come from, my home community, in my family life, as a child, no mother was ever to eat food prepared from meat of an animal which had been frightened before slaughter, because that fright and fear and an attempt to kill, which is an animal's only protection, would be by the mother passed on to the child.

I have since talked to people about that, and they don't seem to get the point. You will find in radiation, with the isotopes tracings and tracings of very, very minute particles of fluorides, et cetera, you can trace how these things are stored in the body. These things are covered in my prepared testimony.

Also that is one of the reasons it is the main concern of the European people for humane slaughter. I haven't heard a word to that effect here, and it goes back to the time of Moses. That was Moses' reason—I am not Jewish, I am Danish, born and baptized and confirmed in the State Lutheran Church of Denmark, and I have my family history hundreds of years back—this is the very point that is passed on, and this is the reason why they have these humane slaughter laws in Europe. And this knowledge was brought to this country because it is in the original constitutions of the first humane societies that organized way back here, and that is also covered in my statement.

I agree with some of the gentlemen who spoke here today, and I disagree with them on some points. Switzerland started humane slaughter in 1874. But 19 years later they found it feasible to outlaw kosher butchering because kosher butchering is inhumane slaughter. These points are covered here. I will read one brief statement of Fred Myers from last year. I quote from his testimony, pages 116, 117, and 118 of the House hearings of April 2 through 12, 1957:

I have watched kosher production in large packing plants a very great deal. At the Esskay plant in Baltimore, for example, the process is that a perfectly conscious and active steer is shackled by a chain around 1 hind ankle, the shackling pin is opened on 1 side, and the steer is then hoisted while struggling to remain on his feet and he hangs by 1 ankle, as much as a thousand pounds, before his throat is cut.

Evidently the steer moves along the conveyor belt to the killing floor. It may take minutes before its throat is actually cut. In the meantime it smells the stench of death and hears the other animals' cries of pain and fright in their throes of death.

That steer's meat, when eaten, could produce killers, neurotics, psychotics, and other mental and nerve disorders.

The CHAIRMAN. What evidence do you have of that?

Mrs. SCHMIDT. That is the core of the reason why they have humane slaughter in European countries. Kosher butchering has been outlawed in Switzerland since 1894. Where will you find a more peaceful country than Switzerland? If there ever is a killing in Switzerland, it is outside elements that come in. It is not the Swiss people.

You take the Seventh Day Adventists in this country, who do not eat meat, who do not eat any of this meat that is killed this way in our slaughterhouses. You very rarely find one of them among the delinquents.

The CHAIRMAN. Do they eat meat at all?

Mrs. SCHMIDT. No, they don't. They do not get this influence which we get through the slaughterhouses, the sickness we have had through the second and third generation.

In the New York Times on March 24 of this year there is a full-page article on the condition of the children, delinquent gangs that roam the streets in New York and Chicago. And where have you had more processed and consumed kosher butchering than in those cities? I state that in my statement in order to clarify that.

Gentlemen, I ant to say this: kosher slaughter is not humane slaughter.

I also want to make one further statement: I do not and I will not criticize any religion or any ritual of any religion. Neither do I want to be criticized for any beliefs I have in my religion. I respect America's great freedom of religion and I have the right to demand that respect from and for others.

But when I have sat here today, and what I have seen here today, makes it look to me as if we have 97 percent of the Hebrew people and not just the 3 percent trying to play football with the 97 percent, because—it is in my statement here—I have many friends among the Hebrew people who have become vegetarians by necessity, and not by choice, because they did not want their children to grow up and get that influence they know they would get from butchering. I have many Hebrew friends, who feel about this issue that same way.

They know that knowledge came down. That was the reason for Moses telling the people to convey the truth to the people to kill quickly and with a sharp knife. That was 2,500 years ago. At that time, and today, they are still using earthen water jugs, and they still have only one animal to kill. They can walk up to that animal and it doesn't fear them.

I have seen slaughter in my own country home in Denmark. If that animal was frightened it was put away. And it was killed later.

Last year I canvassed the Senators, asking them to substitute the Watkins bill for the Humphrey bill because we need education on this. We need to set up an authority, and we need the Department of Agriculture to go in and explain this situation, to have an education on it, to have an investigation on these points.

You say there has been discussion for 29 years. But where has there been an authority set up within the Agricultural Department to do research on this?

What I see, I see a great danger in this bill, as I saw before, and I am opposed to the Humphrey bill, very much opposed to it, because

it is compulsory, it is for compulsion of something that is as yet unidentified. After compulsion goes through, there is nothing in there that can prohibit the Department of Agriculture, or whoever is the moving force, to set up such a method that would be prohibitive due to cost to all packers to put in, and then, as I explained in my testimony, I see the same thing can happen here as happened to me, and happened in Michigan and in Minnesota.

The CHAIRMAN. Is it your fear that the Department of Agriculture may force people to do killing which is inhumane? Is that what you say?

Mrs. SCHMIDT. No. The danger that I see in this bill is that law with the exemption for the kosher butcher, such a law could be passed with a setup that would be prohibitive due to cost to the small packers, and their plants could be picked up for a song. With the exemption of the kosher butcher they could put in shehitah, or whatever they call it, in that plant and would be immediately exempt and we would have a worse type of butchering than we have today, and we would also have a meat trust.

Senator SYMINGTON. Mr. Chairman, may I ask a question?

You say that you like the Watkins bill instead of the Humphrey bill?

Mrs. SCHMIDT. Yes.

Senator SYMINGTON. As I understand the Watkins bill simply refers this back to the Department of Agriculture for further study.

Mrs. SCHMIDT. It does require an authority to be set up, and—

Senator SYMINGTON. And that authority will study it further?

Mrs. SCHMIDT. An authority to be set up, to be given funds to have a right to go into this. If anyone comes into your office and tells you this is the way to run your office, you will ask that man what authority have you to tell me what to do.

Senator SYMINGTON. As I understand it, you are in favor of further study.

Mrs. SCHMIDT. I am for humane slaughter. But first and foremost, for the protection of humanity, which was the core of Moses' idea of butchering. But we have advanced 2,500 years.

These gentlemen who are here and ask for this, they still use our airplanes and automobiles but still want to keep this inhumane way of hanging up a steer by its hind leg and hang there. That fright and fear and intent to kill will then be transferred to the children.

That is their perfect right. But if we are going to continue having that, they drop their hind quarters in the public market place for everyone else to consume. They can have their butchering, but it should be so labeled so that the people who don't want that type of meat would be able to buy the other type meat.

Senator SYMINGTON. You seem to be particularly opposed to the kosher slaughtering.

Mrs. SCHMIDT. Yes.

Senator SYMINGTON. Why aren't you opposed to all slaughtering that is inhumane?

Mrs. SCHMIDT. Because other animals are knocked senseless before they are cut down.

May I tell you this, Senator, since this thing came up 2 years ago, I have talked to many people on this. When I happened to run across

a hunter all of a sudden he would get a gleam in his eye and he would say, "Now I know what the trouble is with the deer meat." One day they would get a deer, they would shoot and it would drop dead in its tracks, and that meat was tender and tasty. This is also in my testimony and I brought it out 2 years ago. This animal that strains and gets the poison in its system, that meat has a tendency to become tough and tasteless. These deer, the men recall, that they have had to track and trail, that meat was tough and tasteless. I illustrated that with experiences in my own way of butchering back in Minnesota.

Senator SYMINGTON. Then, as I understand it, you are for any way to kill cattle——

Mrs. SCHMIDT. That would be humane, but to have investigated what is humane.

Senator SYMINGTON. You want it investigated by the Commission established under the Watkins bill, as to what is humane?

Mrs. SCHMIDT. And to go into the slaughter plants and with men who have authority to do so.

Further, I will state there has been some question raised here of stunning, if the animal can feel it, if it is still in pain. I happened to fall last year, knocked unconscious, and it was 2 hours after I came to before I began to feel the pain. But I sure felt the pain then and was injured for a year.

In 1929 my husband and I were overcome by gas fumes. I was stiff as a corpse for 7 hours. I was revived by the Minneapolis Fire Department. I was slapped, I was banged around, my husband kept dropping me on a stone floor, dragging me to the garage, getting me in the car, my arms and legs were stiff, and I was bumped and banged all over. It was 7 hours before the pain began to register. But when it did for 3 days I could hardly move for all the bangs I got. I was hardly conscious. Even when he slapped me, my eyes never closed, although I could not see except for short moments. It was like through buttermilk. But they slapped me and banged me and I fell—I had stood up, my husband said I stood up and fell like a plank. The third time he knew that he had to get me out of the bedroom—I am not conscious of having said that but I said we have to get out of here. He dragged be through the rooms and got me in the garage and in the car, and I remember in the car he slapped me. I never felt any of these things.

So I know that there is no sensation when you are under gas. But the pain that you suffer when you come back, as Senator Aiken stated about the gas, you don't expect the animals that you make senseless to come back. You expect to kill them. I was also frozen but I won't bother the Senators with this.

This is one suggestion that I would like to leave, to have some research done, if it were possible, for quick freezing, or just the head of an animal to be put into some type of machine like these deep freezes that we have, and if that couldn't insensitize the animal, because there is absolutely no sensation or feeling of pain when you are frozen.

The CHAIRMAN. I have the so-called Watkins bill before me. Section 2 provides:

The Secretary of Agriculture is authorized to conduct, assist, and foster research, investigation, and experimentation to develop and to encourage the adoption of improved methods of handling, transporting, and slaughtering livestock and poultry.

Under this bill, according to your view, the Department would study methods and after they make the study then encourage slaughterhouses to use those methods that they find to be humane?

Mrs. SCHMIDT. Exactly, sir.

The CHAIRMAN. And that is your idea of what ought to be done?

Mrs. SCHMIDT. Yes; to protect humanity, sir, because I think humanity should be our first consideration, and how the meat affects them, that is butchered.

I have been a member of the State humane society in Minnesota for a number of years and I am for the protection of animals, but I think humans come ahead of animals in this respect.

The CHAIRMAN. Do you have anything else?

Mrs. SCHMIDT. No. Thank you.

The CHAIRMAN. Thank you very much.

The committee will stand in recess until tomorrow morning at 10 o'clock.

(Thereupon, at 4:47 p. m., the committee was adjourned, to reconvene at 10 a. m. Wednesday, April 30, 1958.)

(Additional statements filed for the record are as follows:)

NEW ORLEANS, LA., April 28, 1958.

Senator ELLENDER,

*Chairman of the Agriculture and Forestry Committee,
Washington, D. C.*

DEAR SENATOR ELLENDER: I, being of the Orthodox Jewish faith, ask that you do your utmost to defeat Senate bill No. 1497.

The passage of this bill will mean to us, members of the Jewish faith, could no longer keep our self-respect if we allowed ourselves to eat meat in any form whatsoever. The present status of this bill violates the ritual required by orthodox members.

I ask that you do everything in your power to eliminate the passage of this bill, as I am not alone in this thought, there are many thousands with the same trend of thought.

I wish to thank you for any assistance that you are able to put forth to enable the defeat of Senate bill No. 1497.

Very truly yours,

WAREHOUSE SALES,
MATHEW J. GORDON.

NEW ORLEANS, LA., April 28, 1958.

Senator ELLENDER,

*Chairman of the Agriculture and Forestry Committee,
Washington, D. C.*

DEAR SENATOR ELLENDER: We, of the Orthodox Jewish faith, beseech you to do everything in your power to render the defeat of Senate bill No. 1497.

If this bill is passed no self-respecting orthodox member of the Jewish faith could ever again eat meat in any form whatsoever within the confines of our United States. The bill in its present form strictly violates the ritual required by orthodox members.

We ask that you use everything in your power to see that this bill is defeated. We are not alone of this thought; there are probably thousands of persons of similar mind.

Thanking you for any assistance that you are able to give us, we are

Very truly yours,

Mr. and Mrs. HARRY KRATZ.

NEW ORLEANS, LA., May 1, 1958.

Senator ALLEN ELLENDER,
Chairman, Agricultural and Forestry Committee,
Washington, D. C.

DEAR SENATOR: We respectfully urge defeat Senate bill No. 1497, as same deprives all orthodox members of Jewish faith of their free right to worship God in accordance with traditional concept upheld for several thousand years. Its enactment would deprive our people of our constitutional rights of religious freedom.

D. J. PAILET,
 MAURICE PAILET,
 ISADORE FERTEL,
 NORMAN S. FERTEL,
 Mrs. J. WEICE,
Families.

ALEXANDRIA, LA., April 30, 1958.

Senator ALLEN J. ELLENDER,
Washington, D. C.:

I earnestly urge your pressing for defeat of bill No. 1497.

NATHAN KAPLAN,
President, Louisiana B'nai B'rith.

NEW ORLEANS, LA., April 28, 1958.

Senator ALLEN J. ELLENDER,
Chairman, Committee on Agriculture and Forestry,
United States Senate, Washington, D. C.

DEAR SENATOR: May I express in behalf of my congregation our deep concern over bill S. 1497, the companion bill to amended H. R. 8308, which is to be voted out by the Committee on Agriculture and Forestry, which you head.

We profoundly believe that the divinely ordained shehitah, Jewish ritual slaughtering, is most humane and infinitely more compassionate in rendering the animal insensible to pain than the alternatives offered in the new bill, namely, (a) a single blow or gunshot; (b) electrical; (c) chemical; or other means. Moreover, permission of shehitah on an exemptive basis would empower the Department of Agriculture to prohibit shehitah by outlawing reasonable and essential forms of animal restraint and eventually might lead to outright prohibition of shehitah, either on a Federal or State level.

And inasmuch as this entire procedure is contrary to the fundamental American concept of separation of church from state, we solicit your vigorous opposition to the bill and help continue the American principle of freedom of worship for citizens of all creeds.

Appreciating your leadership and cooperation in this vital and sacred matter.

With Divine blessings,

Very cordially yours,

CONGREGATION BETH ISRAEL,
 Dr. ISRAEL H. WEISFELD, *Rabbi.*

STATEMENT FILED BY RADFORD HALL, EXECUTIVE SECRETARY, AMERICAN NATIONAL CATTLEMEN'S ASSOCIATION, DENVER, COLO.

The American National Cattlemen's Association was organized in 1898 and is a voluntary association representing 29 State cattlemen's associations, more than 100 local and regional groups, and thousands of individual cattlemen.

Cattlemen by their very nature are lovers of animals. If they were not they would never have chosen the cattle business as a way of life. For days and weeks cattle are their only companions on the wide, open spaces where cattle graze. Cattlemen take great pride and pleasure in the welfare of their stock.

We believe that we can say without fear of contradiction that they more than any group are interested in the humane handling of the cattle from the time they are calved on the range until converted into beef, the best of all foods.

We are in great sympathy with those groups and individuals who are responsible for the efforts being made to improve the methods of slaughter so as to be more humane.

However, we feel that for a number of reasons we must oppose the enactment of compulsory legislation at this time.

In the first place, humaneness to animals is a matter of education and training—not legislation. More can be accomplished through a practical approach incorporating good economic and efficient production of meat, an approach that is already on its way as following paragraphs will show.

Since the beginning of the cattle business in the West, with its long cattle drives, hard on men and animals, there has been a steady improvement in the handling of cattle. Cattlemen have learned that the best-cared-for cattle are the most profitable. Facilities for their care and feeding on the ranches have been and are being constantly improved.

Cattlemen are cooperating with railroads and truckers toward more humane handling of the stock between the ranch and the stockyards. Stockyard facilities are being constantly improved to avoid injury to livestock.

I cite these things only to show that there is an awareness throughout the cattle industry of the wisdom for humaneness in handling animals.

Directly to the point is the fact that a joint committee of the American Humane Association and the American Meat Institute is and has been for sometime working toward the development of improved methods for slaughter which are practical and humane, and the general acceptance of those methods by the entire packing industry. This committee is making definite progress and the work of the committee is continuing.

This committee has made great headway toward the development of a device which, when placed into universal use, gives good promise of accomplishing the purposes of this act so far as cattle are concerned. We understand a number of these devices are now in regular use.

In view of this effective voluntary cooperation we believe that the injection of the compulsory legislation would only complicate an already complex situation which can best be worked out through mutual understanding of the problems both economic and humane that are involved.

We urge your committee to allow the joint committee of the American Humane Association and the American Meat Institute to continue the work that is so well started without being hampered by legislation at this time.

HUMANE SLAUGHTERING OF LIVESTOCK

WEDNESDAY, APRIL 30, 1958

UNITED STATES SENATE,
COMMITTEE ON AGRICULTURE AND FORESTRY,
Washington, D. C.

The committee met, pursuant to recess, at 10 a. m., in room 324, Senate Office Building, Senator Allen J. Ellender (chairman of the committee) presiding.

Present: Senators Ellender, Humphrey, Symington, Talmadge, Aiken, Young, Thye, and Hickenlooper.

The CHAIRMAN. The committee will please come to order.

We will proceed with hearing witnesses on the so-called humane slaughter legislation.

The first witness for this morning is Mr. E. L. Peterson, Assistant Secretary of Agriculture.

Mr. Peterson, I notice that you have a statement.

You may proceed.

STATEMENT OF HON. E. L. PETERSON, ASSISTANT SECRETARY OF AGRICULTURE

MR. PETERSON. Thank you, Mr. Chairman, and gentlemen of the committee. We welcome this opportunity to present our views on the bills S. 1213, S. 1497, and H. R. 8308, relating to the humane slaughter of animals.

So far as we know there is neither debate, question, nor doubt that the humane slaughter of animals is the common desire of all persons. We in the Department of Agriculture are desirous of fully making whatever contribution possible to the most humane treatment of animals which can be achieved.

Slaughtering of animals is at best an unpleasant business. But it must be done. The American people are eaters of meat. It is widely used by all segments of our population. Meat-food animals and poultry together with their products provide the major portion of farm income. The handling, transport, processing and merchandising of animal products including meat is of major economic significance. When it is determined to be necessary in the public interest to regulate all or any part of these activities, the regulation undertaken should be clear and definite. Regulation must also, it seems to us, take cognizance of the ability of those regulated to comply, and the results which the regulation may bring about.

In the slaughter of animals there can be no reasonable objection to providing for the use of the most humane methods attainable while

at the same time maintaining the efficient, orderly, and rapid conversion of meat-food animals into meat and other essential products.

But the question of what constitutes a humane method is at this stage of our knowledge of the subject entirely a matter of judgment highly charged with emotion. It is, I believe, correct that many important developments in our national life have derived from emotional consideration, and we respect this mode of expression. Also, many decisions are predicated on judgment factors. Both motivating forces, however, need to be tempered and combined with whatever facts apply to the subject under consideration.

What are the facts with respect to humane slaughter of animals? How are they determined? Fright and pain are not readily susceptible to measurement. On what scientific evidence and in conformity with what attainable operating principles is any method of taking an animal's life to be determined as humane? What makes one method acceptable as humane and another unacceptable? Certainly the killing of animals, in fact the very sight of the slaughter process, is unpleasant and repulsive to most people. Instinctively the viewer feels a desire that the process may be done quickly and as humanely as possible.

I believe there is general acceptance that speed is important to humaneness. It is also necessary. In periods of heavy marketings thousands of cattle and tens of thousands of swine are received, handled, sold, slaughtered, and processed in our larger market centers. I believe there is agreement also that the elimination of actions that induce both fright and pain contributes to humaneness.

Other than for these two areas of apparent agreement, there is great difference of opinion and almost complete lack of scientific information as to comparative humaneness of methods to render animals insensible and of the procedure for killing them.

From the emotional approach any method that eliminates or reduces the apparent struggling of the animal would be an improvement. But what is the factual situation?

Several methods developed by various segments of the industry and the humane associations in recent years appear to offer improvement of the killing process. They include the immobilization of hogs with carbon dioxide gas and the use of captive-bolt pistols and mechanical stunners for cattle. These methods have many practical advantages and are finding increasing use in the industry, but so far as I am aware no one has made an authoritative evaluation of the carbon dioxide method to determine whether the animal is subjected to fear and shock in the initial application of the gas which may be no more desirable from a humane standpoint than other methods. In fact, little is known of procedures which may be used to measure either pain or fright in an animal.

The captive-bolt pistols and the mechanical stunners are designed to accomplish the stunning of an animal with a single blow as are also the stunning hammer and the gun which have long been used for this purpose. Properly applied, they accomplish the purpose. Improperly applied, or in the case of mechanical defect or unpredictable movement of the animal, they fail.

Two of the bills before you, S. 1497 and H. R. 8308, state that a procedure which renders an animal insensible with a single blow is to

be considered humane and the debate on H. R. 8308 in the other body would indicate that the captive-bolt pistols and the mechanical stunners accomplish this purpose. The fact is that they do not always do so.

Electrical methods of stunning have been the subject of experimentation for many years, and are required by law, in some foreign countries. Scientific evidence is lacking to establish that these methods are humane as indicated by controversy on the subject in several foreign countries. This was pointed up in a seminar on "Electric Anesthesia of Food Animals," held at Utrecht, The Netherlands, in 1954. This method is also subject to mishandling and when so mishandled it obviously has some of the aspects of inhumaneness which are condemned in other methods. There is likewise the problem of an electrical shock producing lesions in various parts of the animal's body which add to the difficulties of inspection for wholesomeness. The necessary speed of slaughtering operations in large establishments make impracticable the inspection of animals rendered insensible by the electric shock method.

The Department has long given its support to any improvements in the humane handling, transportation, marketing, and slaughtering of animals. This has been looked upon as a necessary part of all of our programs involving farm animals, but we have heretofore viewed the development of methods specifically aimed at such purposes as being the responsibility of industry and the humane associations.

The Department has, however, concluded that it shares this responsibility and that it should engage actively in this field to develop, and to encourage and promote the use of, improved humane methods for the slaughter of livestock and poultry. The Department has adequate authority to engage in research and through its far-flung extension and regulatory agencies to encourage the adoption of improved methods. It will be the policy of the Department to initiate and carry out a vigorous program of research in this field regardless of the outcome of the pending legislation.

The Department is now engaged in organizing its programs for next year and in preparing the proposed budget for the succeeding year. We will provide for research and encouragement in the development and application of improved humane methods of slaughter. To accomplish this, we will request the advice and assistance of representatives of the humane associations, the meatpacking industry, farm organizations, and others interested in this important work. This would be in accord with the provisions of S. 1213 and some of the provisions of S. 1497 and H. R. 8308.

Section 3 of S. 1497 and H. R. 8308 requires that after December 31, 1959, Government procurement of meat and livestock products be made only from processors who in all of their slaughtering operations are complying with methods of humane slaughter designated and approved by the Secretary of Agriculture. This requirement would have an adverse effect upon this Department's meat purchase programs, particularly section 32 surplus removal programs for livestock which are undertaken to encourage domestic consumption thereby providing price assistance to producers.

Even though beef slaughtering operations were to be conducted in accordance with the bill, this Department could not purchase any

kind of meat from slaughterers who slaughtered any animals not in accordance with section 2. Consequently, if this Department desired to provide price assistance to producers for one species of livestock through meat purchases, it would be difficult, if not impossible, under the bill because most meatpacking firms slaughter several species of livestock, one or more of which may not be slaughtered in accordance with section 2.

It is doubtful whether the meat purchased by this Department and other Government agencies would provide sufficient incentive for the industry to make large-scale changes in their slaughtering operations as required by this legislation. It is also likely that some firms would offer products to the Government only at prices necessary to cover the expenses incurred in making changes necessitated by the bill.

Usually the section 32 meat purchase programs are undertaken on relatively short notice and are conducted for only a relatively short period of time when supplies of livestock are exceptionally large and prices to producers are seriously depressed. During such periods the meat industry, of course, is operating near capacity. As a result, past experience has indicated that one of the main difficulties in successfully carrying out a meat purchase program is obtaining prompt and sufficient participation by the meat industry. Section 3 of the bill would make it exceptionally difficult to successfully carry out section 32 surplus meat purchases. In fact, it would be particularly detrimental to such purchase programs.

Other departments, notably the Department of Defense, have much larger purchasing responsibilities which will be affected by this legislation.

We would also like to mention that the use of the term "livestock products" in section 3 would create additional problems, since it is not clear whether this term was intended to cover products other than meat and meat food products.

We, of course, recognize the authority of the Congress to by legislation declare what method or methods for the slaughter of animals shall be considered humane and to prohibit other methods. We, however, cannot presently make such a determination on any basis other than by solely a judgment determination. We most earnestly believe that research, experimentation, education, and persuasion should be first used for a period before the power of legal compulsion is resorted to. We are fully convinced that the most humane method for the slaughter of our meat-food animals which it is possible to attain should be used. Should the Congress enact legislation on this subject, we will do our utmost to make it work. In the absence of such action, we will do our utmost to develop and to achieve the use of the most humane methods of slaughter which can be attained.

The CHAIRMAN. Mr. Secretary, has any work been done at all by the Department of Agriculture with respect to this field of humane slaughter?

Mr. PETERSON. Not specifically on a research basis, Mr. Chairman. We have worked closely with the humane associations, with the packing and meat-handling industry.

The CHAIRMAN. When you say you have been working closely, what do you mean by that?

Mr. PETERSON. By consultation, by observations in slaughter plants and in the handling of animals. The effect upon the meat has been the basis of our consideration.

The CHAIRMAN. And not the animal?

Mr. PETERSON. Not the animal.

The CHAIRMAN. Not the suffering?

Mr. PETERSON. There is a definite relation in some aspects of the suitability of meat for use and the method by which the animal is handled. And the more humane and gentle and the more care is used in the handling of the animal, including the slaughter process, the more suitable and better the meat is. In fact, the reverse of that will sometimes result in meat or portions of meat being condemned for human use.

The CHAIRMAN. Along that line, to what extent have experiments been carried on to indicate the effect that fright and various methods of slaughter will have on the meat itself, such as the electric current and other methods?

Mr. PETERSON. So far as the Department of Agriculture is concerned, Senator Ellender, we have done no direct research in this area. As I indicated, we are now planning a program of research which we propose to implement in this area.

The CHAIRMAN. Why so late? Why wasn't that done before?

Mr. PETERSON. I suppose, Senator, that the only way that that can be answered is that our concern has been directed at the suitability of meat for human consumption. We think there has been marked improvement in humane handling in the slaughter of animals over the years. But I must confess it has been incidental to the discharge of what we believe to be our basic responsibility, of protecting the quality and suitability of the meat supply coming from those establishments which are required to be inspected.

The CHAIRMAN. Is it your judgment that a good job could be done through experimentation, through study, through research? You speak of using persuasion. How would you use it? How would you go about forcing or making stockyards that slaughter animals use the methods you think are best?

Mr. PETERSON. Let's take, for example, the mechanical stunner, the captive-bolt piston. The methods of handling that instrument and the construction of the instrument itself, so far as I am aware, result in instantaneous stunning of the animal, that is, rendering it insensible instantaneously.

The CHAIRMAN. Do you know that? Has that been found to be true?

Mr. PETERSON. That has been found to be true. But there are still certain, as I understand it, mechanical defects; there are certain human defects. The problem is to bring the animal to some point, physical point, in such a state and so restrained that there is practically no possibility of human failure.

The second thing is to develop the mechanical aspects of these instruments so that there is practically no possibility of mechanical failure. If an animal is brought to the killing point in the establishment in a state of fright and nervousness and is not sufficiently restrained, no matter how adept a person might be the chances of implanting the captive bolt in the head of the animal at the point

where insensibility occurs instantaneously is markedly reduced. This goes far—I shouldn't say far—this goes beyond the immediate implanting of the captive bolt in the head of the animal to render it insensible. The animal has to be so restrained that it doesn't have opportunity to move, that the chances of failure are reduced to the absolute minimum.

And we think there is opportunity in working with the packing industry—I say with the packing industry because they are the people who kill the animals. There are three things involved: The speed, the costs, and the result upon the meat.

We think that there is opportunity for improvement. We further think there has been much improvement made in, say, the last 25 years in the handling and the slaughter of animals.

I personally recall being in stockyards when the use of the electric prod was a common practice. You don't see that any more. You see these canvas slappers that contact the animal. There is no bruise, there is no sudden jerking of the animal. The nervousness and the fright is reduced to a minimum. But we think there is opportunity for still further improvement.

The record, I think, will show that the industry, large and small, in its own self-interest, can only be benefited by handling and killing animals in what again on a judgment basis is the most humane way to go about it.

The CHAIRMAN. I think the record indicates up to now that even with the methods suggested, a single blow or gunshot is not 100 per cent accurate. It may take a few extra blows or shots. Yet that is considered humane. You are of the belief that the experiments have advanced far enough whereby it could be said that, by using the so-called single blow, that would be effective.

In other words, you could put that into effect if the Congress saw fit to direct you to do so?

Mr. PETERSON. Senator, we would do, as I said, the very best we could in response to whatever directive the Congress saw fit to give us. But I want to make this point: That the actual rendering insensible of the animal by the blow is only one part of what is required. The animal has to be brought to the place where it is restrained, where the implanting of the bolt or the stunning can be accomplished with precision in the same manner repeatedly and very rapidly.

This is not just having a gun or device that hits the animal and renders it insensible. It is bringing the animal through the facilities to the place and in the shape and condition where that can be accomplished with accuracy and dispatch.

We couldn't say that one method is humane and another isn't on any basis of measurements that we have yet been able to develop. And so far, whatever is concluded with respect to the humaneness or lack of it, is entirely a judgment basis.

The CHAIRMAN. That brings on this question about the cost of this. In order to be able to carry this out, is it your judgment that the cost would be so great as to increase the selling price of the product?

Mr. PETERSON. I have no way to say that it would, Senator. I can express the personal view that when a method is determined to be rapid, to render the animal completely insensible—instantaneously—bring the animal to that point and state where fright and

fear are absent, and the installations are made, the cost of providing to accomplish that end objective, and the requirement for that end objective, if there is a requirement, should be clear. There should be some indication that it would prevail over a period of time.

If those conditions are pertaining then I think that the objective here of achieving humane slaughter of animals as has been proven in the past, proves to the economic benefit of the industry.

The CHAIRMAN. That seems to be left to the Department. Section 2 (a) states in effect that if animals have been rendered insensible by a single blow, that in itself is considered humane. But now, the matter of making the determination to prevent fright and how this shall be accomplished so that you will get 100 cattle killed with 100 shots would be left to you, to make the determination as to the best way to devise methods whereby that can be carried out. Isn't that a problem that would require a lot of research?

Mr. PETERSON. We think it is, Senator. We think that the installations can be devised to bring the animals from the pens, through the packing establishment, to the point of slaughter, with the equipment to restrain, so that these devices can be used, and it will require some further study.

I suggest that over the years there has been improvement. Some of the things and methods now being talked about as humane have been developed by the industry. We think we have had some part in it because we have been concerned with the condition of the resulting meat, and that, as I said earlier, is associated with what I think any person of sensibility and judgment would say is the humane handling of animals.

We are not saying that all handling is humane at the moment but we do think progress has been made and we think we have had some part in that progress.

The CHAIRMAN. With respect to the cost, we obtained evidence yesterday that in instances where this change took place—for instance, at Hormel and a few others—to the contrary it didn't increase costs but rather reduced costs.

Mr. PETERSON. That is the point I made earlier. Where the animals are handled as I think any person of sensibilities would say there is the least inhumaneness, the results have been economically beneficial.

The CHAIRMAN. You mentioned additional costs if you impose it on people. I would like to have you clarify that.

Mr. PETERSON. If we were to have legislation, and we were compelled under that legislation to say this is the humane method, and it took certain investments and facilities to accomplish the use of that method, then a short time later progress had been made and we were to say that that is no longer a humane method, then that investment in providing those facilities has to be modified, perhaps lost.

You mentioned the use of carbon dioxide, the CO₂ gas in the immunization of hogs. We have no measurement to say that that is a humane method. It appears to be, and certainly it offers improvement in the handling of hogs and a lack of bruising, and from the point of view of emotions and sensibilities, which we all have, we think it is an improvement over the shackling method which I am sure has been described to your committee. But we cannot say on

any measurements that we have been able to make what happens to the hog in the gas chamber.

The CHAIRMAN. A question arose yesterday in respect to what I would claim to be an exemption in respect to the Jewish faith in particular. They appeared here in large numbers yesterday. I took the position that section 2 (b) of the bill, since it declares that slaughtering, as described under (b), would be considered humane, that those of the Jewish faith would be exempt, particularly when that section is read in connection with section 6 which states that—

nothing in this act should be construed to prohibit, abridge, or in any way hinder the religious freedom of any person or group to slaughter and prepare for the slaughter, livestock in conformity with the practices and requirements of his religion.

Are you sufficiently informed to advise the committee as to whether or not you consider section 2 (a), 2 (b), and section 6, in fact the act itself, as exempting religious groups who are now opposing it because they fear that it will interfere with methods that have been in effect since the time of Moses?

Mr. PETERSON. Senator, so far as the legal interpretations are concerned, I am not prepared to make them. But I do recognize, that if the language is not adequate it could be perfected if the Congress so desires.

The CHAIRMAN. They take the position it couldn't be.

Mr. PETERSON. I don't know.

The CHAIRMAN. I don't either. I am trying to get some light on the subject.

Mr. PETERSON. I feel that the Congress, as in other legislation, can, by so declaring, say that these methods are humane and exempt from any implications of the act.

I assume that folks wanting to protect a given procedure and a given method may have some fears that subsequently the exemption would be lost, but I have no personal knowledge of that.

The CHAIRMAN. In any event, the act seeks to state that two methods of slaughtering and handling are hereby found to be humane; and 2 (b), it states:

By slaughtering in accordance with the ritual requirements of the Jewish faith or any other religious faith should be declared as humane.

Mr. PETERSON. I assume, Senator, without knowing precisely that the proposed language is such as to indicate an intent not to go into the humaneness or lack of it in methods that stem from religious faith, but to declare by fiat that they are humane and thereby exempt. It does not go to the subject of whether they are or are not humane. And the Congress, I would assume, would be declaring in effect that it does not choose to go into the humaneness or lack of it that may pertain to other methods.

The CHAIRMAN. I agree with that. I am sure that one is as bad as the other. Slitting the throat, to my way of thinking, is as bad as any other method. But for us to be declaring that one method is humane and the other isn't, is contradiction in my mind. Yet I was desirous of obtaining as much light as possible so that in the event this committee should decide to report this bill favorably, that there would be no question about the slaughtering in accordance with ritual requirements of the Jewish faith or any other religion being exempt.

Mr. PETERSON. That is my understanding of the results that would pertain.

Again I say I assume that to be avoidance of the question with respect to methods so used, as to whether they are or are not humane.

The CHAIRMAN. That would be my interpretation of this act if I were called upon as a judge to decide it without any deep study, but just reading casually section 2 (a), 2 (b), and section 6.

As I read this act, there is no penalty attached to it except that Government agencies should be precluded from purchasing any meat products that are not slaughtered in accordance with the provisions of this act.

Mr. PETERSON. That is my understanding.

The CHAIRMAN. Would the school lunch program be affected?

Mr. PETERSON. Very definitely.

The CHAIRMAN. Could you give us a list of the programs that we are now carrying out that would be affected?

Mr. PETERSON. I would like to supply that for the record.

The CHAIRMAN. I wish you would. And be specific in each so that we can have the whole picture.

Mr. PETERSON. I would be glad to do it.

Certainly the school lunch and section 32 would be affected.

The CHAIRMAN. I don't like that method of legislating. I would rather make it penalizing instead of denying the Government agency from purchasing. I think it is just a roundabout way of doing things.

(The information is as follows:)

EFFECT OF PROPOSED HUMANE SLAUGHTER LEGISLATION ON USDA SURPLUS REMOVAL AND SCHOOL LUNCH MEAT PURCHASES

Section 3 of H. R. 8308 and S. 1497 requires that after December 31, 1959, Government procurement of meat and livestock products be made only from processors who, in all their slaughtering operations, are confined to methods of humane slaughter designated and approved by the Secretary of Agriculture. This requirement would have an adverse effect upon the Department's meat purchase programs, particularly under section 32 of Public Law 320, 74th Congress, and section 6 of the National School Lunch Act.

Under the National School Lunch Act, it is declared to be the policy of Congress, as a measure of national security, to safeguard the health and well-being of the children and to encourage the domestic consumption of nutritious agricultural commodities and other foods. The Federal Government assists States through grants-in-aid and other means in supplying adequate supplies of food and other materials for the establishment, maintenance, and expansion of nonprofit school lunch programs.

The Department of Agriculture is authorized to use a portion of the funds appropriated each year under the National School Lunch Act to purchase foods which will help schools participating in the school lunch program in meeting nutritive requirements of school children.

Since 1951, the Department has purchased livestock products with National School Lunch Act funds, under the provisions of section 6, valued at more than \$14 million, including approximately 8.4 million pounds of pork, at an expenditure of \$3.4 million in 1951, and 12.2 million pounds of beef products during 1956 at a cost of \$4.2 million. During the 1958 fiscal year, about 16.7 million pounds of frozen ground beef were purchased at an expenditure of \$6.7 million. All of these commodities were donated to schools participating in the national school lunch program.

Under provisions of section 32, Public Law 320, funds can be used to encourage domestic consumption of farm commodities, encourage the exportation of agricultural products, and for reestablishing farmers' purchasing power. Most of the section 32 funds used in past years have been spent to increase domestic consumption of farm commodities.

Since 1952, a total of 536.9 million pounds of beef, pork, and lard has been purchased by the Government under section 32 purchase programs, at a cost of \$232.5 million. In 1953, 217 million pounds of beef were purchased at a cost of \$87.7 million. During the 1955-56 marketing year, 196 million pounds of pork products and lard were purchased at a cost of \$101.7 million. Also, during the fall of 1956, 100 million pounds of livestock products, including 28 million pounds of pork and lard, were acquired at a cost of \$32.9 million. The purchase and distribution of these commodities under surplus-removal programs provided improved diets for many schoolchildren throughout the country. The livestock products were also distributed for use of eligible needy persons and by charitable institutions.

Usually, section 32 meat-purchase programs are undertaken for relatively short periods and on rather short notice, at times when supplies of livestock are exceptionally large and the industry is in economic distress. Generally, during such periods the meat industry is operating at near capacity. Past experience has indicated that one of the main difficulties in successfully carrying out meat-purchase programs is obtaining prompt and sufficient participation by the meat industry. The imposition of restrictions, such as those included in H. R. 8308 and S. 1497, upon the meat industry without first knowing what changes would be needed or the cost of modifying facilities and methods of slaughter in order to sell to Government agencies would, in our opinion, limit the number of eligible processors who would participate in future Government purchase programs under section 32 or 6. Unless enough processors modified their operations in order to comply with the bills, the effectiveness of Government purchases would be destroyed.

Government purchases under both sections 32 and 6 are so irregular and small that meatpackers cannot be expected to undertake the job of substantially modifying their operations in order to become eligible for Government business under either of these programs. If purchases made by the Government were called upon to bear the total cost of making such conversions or to operate a program without the competitive participation of all the industry, it could result in completely inefficient, as well as high-cost, programs. Unless the majority of the production of the meat industry is eligible and allowed to compete for Government business, section 32 purchase programs would be ineffective in removing price-depressing surpluses to meet the needs of producers. Section 6 purchases of meat would necessarily have to be further limited as a result of the increased costs, thus depriving the school-lunch program and the schoolchildren of needed meat supplies that otherwise would be available.

Mr. PETERSON. In any use of police power—and that is essentially what we are talking about—the regulations should be clear, they should be definite, they should be understandable, they should apply to everyone, and the penalties, likewise, should apply to everyone, in my opinion.

The CHAIRMAN. That is my thought, thinking along those lines. Are there any questions?

Senator Young.

Senator YOUNG. The objectives of this bill, I think, are commendable. I am not so sure about their practical application as written into law. I did some slaughtering, myself, on the farm, and I know how difficult it is to do it in a humane way. There is really no humane way. The spot in the head of a hog or a critter where you must hit it to render it insensible is so small, and, if you miss that, you create far more suffering than you would otherwise.

I note your reference to the improvement in the handling of livestock in trucking, and so forth. Often, when I get in a cab in these larger cities, when they use all the power they have and take the corners at high speeds, I wish I were in a truck in North Dakota hauling livestock where the driver treats our livestock better than human beings are in some cabs.

I was wondering, Mr. Secretary, if this bill would apply to poultry. This bill wouldn't apply to the slaughtering of poultry, would it?

Mr. PETERSON. I am not sure of that point. I don't believe it would.

Senator YOUNG. Are you familiar with the methods used in the killing of turkeys?

Mr. PETERSON. Yes, sir.

Senator YOUNG. Do they just bleed them as they used to, with a knife?

Mr. PETERSON. No. The turkey is taken out of the cage, and, in most cases where I have seen, hung by its feet in a rack that moves on a conveyor. It comes by what is called a sticker, and there is a little knife used to slit the jugular vein and insert the knife point in the brain of the turkey or the head to render it insensible. Whether it does in all cases or not, I couldn't tell you. Then the turkey moves on this chain from there to the defeathering equipment—they use water in many places and rubber beaters that beat the feathers off—and it then moves on the line to the pinners, women, usually, in a plant who take the remaining pinfeathers off the turkey before it moves along the chain to the point where it is eviscerated.

Senator YOUNG. Ofttimes, many of the feathers are picked off before the bird is actually dead.

Mr. PETERSON. At least, there is movement. Whether it is involuntary or muscular reaction or not, I have no way of knowing. But that illustrates the point, I think, your questions do. There is much that we don't have by way of actual measurements that we can say authoritatively that, because of having investigated this thing and developed measuring devices and conducted research, we are applying judgments. We don't know.

Senator YOUNG. I always thought that the dog and horse were about as intelligent and sensitive as any of the animals. That is particularly true of some horses. Some of them are almost as human as human beings, themselves. Fowl, chickens, and turkeys are much more sensitive than a hog is, and much more intelligent. If we are going to go into this field, we ought to try to apply it all the way across the board. Really, I don't see how you could legislate at this time and in this way and be fair to all of the industry and to all the producers.

Mr. PETERSON. We would have to say, Senator Young, that legislation at this point, in our opinion, would be legislating without knowledge of all the facts that are applicable. We think that we need measurements. We think there is a probability of devising measurements, which, coupled with judgment, can say, within reasonable limits, that here is a practical method that is more humane than the present methods that are used.

Again, this business of defining "humane" comes, in the final analysis, to a matter of measurement of human sensibilities and judgment. At least, I can't find any other actual measurement to apply.

Senator YOUNG. It is a worthy objective that we should be working for.

Mr. PETERSON. Certainly it is a worthy objective from the point of view of the humane treatment of these dumb animals, themselves, and I am convinced that it is a worthy objective from an economic point of view. But whatever we do, we think we should be definite, and that the requirements that are placed upon whoever is affected by legislation should be clear, should be definite, should be continuing. So, whatever investments might be made, whatever impact it might

have on the producers of these animals, or at whatever point in the whole chain of events from the point of production through to consumption, we should have something that will endure and affect everybody with some measure of equitability.

Senator YOUNG. Thank you, Mr. Chairman. That is all.

The CHAIRMAN. Senator Thye?

Senator THYE. Secretary Peterson, the swine is one particular animal with which they have the greatest problem in the slaughtering yards, because there you shackle and pull them up.

Mr. PETERSON. That is a widely used practice, as I understand it.

Senator THYE. That is what interested me when I watched the Hormel operation, where they came in on the conveyor and then were rendered insensible by the gas. That seemed to be the most humane way that I could imagine. The other was to shackle them and pull them up onto the conveyor, and then they came through hanging by one limb.

The CHAIRMAN. Senator, they shackled them after they became senseless?

Senator THYE. They are shackled after they become senseless in the gas chamber.

The CHAIRMAN. After they get out of the gas chamber?

Senator THYE. Yes. The hog, as I watched it at Hormel, came down a narrow chute, and they went onto a conveyor which is like an escalator before it forms into steps. After they came out of the chamber the animals were lying on the conveyor just as much asleep as if they were lying out in the sun someplace. There wasn't a move anywhere. And you heard no squeal or anything.

But if you are shackling and you lift them up onto the conveyor, and then they are pushed on the conveyor past the sticker, that is something that even a person that has seen it at various times finds somewhat gruesome.

Mr. PETERSON. I think we all rebel. I frankly did.

Senator THYE. When it comes to the animals such as sheep, or cattle, I am not sure about this captive bolt. There is a shock noise when that shot is exploded in order to force that captive bolt or that captive hammer, there is a noise in connection with it and the animals hear that noise constantly. A man who is accustomed to swinging the heavy hammer becomes very accurate. I have stood on the platforms over the years and watched them at various times.

Mr. PETERSON. There are two things, if I might observe.

Senator THYE. Go ahead.

Mr. PETERSON. First, with respect to CO₂ methods as used by Hormel on hogs, at the moment we have no measurement or knowledge of what happens to the hog during the period in the chamber when he is building up the CO₂ level in the blood that causes insensibility.

With respect to the use of the hammer on cattle, I have seen, as I am sure you have, the hammer blow given to the animal and the animal goes down. He is stunned.

Senator THYE. That is what I had reference to.

Mr. PETERSON. Then before he has bled, the blow was not sufficient to maintain the insensibility during the bleeding process and they come back to life, so to speak, and come back to consciousness and still be bleeding. It is that sort of thing we think we need to be sure we can avoid.

Senator THYE. That is correct. But whether you hit them with a captive bolt or whether you do with a sledge, if the one captive bolt shot does not put the animal down, you have to go through the process of reloading and then do it again. I would say that that is highly questionable.

Mr. PETERSON. That is most undesirable.

Senator THYE. The slaughtering of hogs, I think, is the field that there is the greatest need for study. The other is the question of whether that mechanical shot will do it as rapidly and as speedily as the hammer. A man accustomed to using a hammer, does it quite accurately. In fact, you can stand there for many minutes and he will never miss.

Mr. PETERSON. You can see the animal go down.

Senator THYE. And the same thing with sheep?

Mr. PETERSON. We have no measurements at the moment to know whether or what number, if any, of the animals which go down when they are hit with a hammer regain sensibility before they are bled, and the loss of blood in itself would create insensibility.

Senator THYE. You and I have no way of measuring electric shock, other than we have experienced it by touching a spark plug, but we don't know what goes through the body when the animal is subjected to an electrical charge. It is a question that none of us are expert enough to answer. We haven't had the experience—as I said yesterday, I didn't go through that gas chamber and therefore I couldn't speak from experience of what it was like going through. I could, however, note the animal going in, no squeel, coming out perfectly asleep on the conveyor. But as to what takes place in the gas chamber I have no knowledge.

Mr. PETERSON. We think that is a factor when you are dealing with the question of what is or is not humane.

Senator THYE. But it is most difficult for us to make a decision because we don't have any experience. A person who has seen a movie or has visited a slaughterhouse for a matter of a few minutes, and it has been his first experience, I know that he would be horrified, and rightfully they should be.

Mr. PETERSON. As Senator Young points out, you and I both—many of us—have farm-slaughtered many animals. I have killed many animals on the farm. It takes management to do it correctly.

Senator THYE. I visited Garrison Dam in North Dakota and saw a big feed yard, and I saw an arrangement that permitted the loading of cattle without ever using a stick or a prodder or anything on them. It was the most commonsense thing I had seen, and it caused less injury to the cattle than oftentimes happens in the slaughter yard. When you are trying to load cattle and you get them wild and you start prodding and driving and hitting to prod them along, you will get them in a sense of frenzy which will cause them to jump a 6-foot fence. You are exciting the animal and causing not only fear but you are building up that fear within the glands of the body. You don't know what effect there is.

Mr. PETERSON. There may be damage to the animal.

Senator THYE. There are many steps that need to be studied.

Mr. PETERSON. The reason that the particular chute you saw was put there, and the reason on ranches where large numbers of cattle have to

be dipped, your dipping vats and chutes are so arranged that your animals go through with no prodding, beating or frightening, is because it has value.

Senator THYE. It has been studied.

Mr. PETERSON. It has been studied by experts and found to have value. In addition to the economic value, of course, is the ease of handling. No one likes to frighten or beat or injure animals. People just aren't put together that way.

These improvements have come, both on the ranches and in the transport and in the slaughter houses, for two reasons:

First, because they were feasible from an economic standpoint; second, because people do not willingly beat or abuse animals. It is a very rare individual who would do a thing of that kind.

Senator THYE. That is all, Mr. Chairman.

Senator YOUNG. Mr. Chairman, may I say something off the record?

The CHAIRMAN. Yes.

(Discussion off the record.)

The CHAIRMAN. Senator Hickenlooper?

Senator HICKENLOOPER. Mr. Secretary, I am certainly hoping that we can develop more humane methods of slaughter as time goes on, and I have the impression that we are in our packing plants. Hasn't great progress been made in the last several years in various plants in experimentation and development of new methods?

Mr. PETERSON. We certainly think so, Senator Hickenlooper. Take the Hormel process to which reference was made. That was done voluntarily by the packing plant for two reasons:

One, it was economically feasible; two, there was less trouble and shock and injury to the animal.

Senator HICKENLOOPER. I believe in several packing plants in my own State they have on their own, over the last several years, been experimenting with various methods hoping that they can find a method which is more reliable, or that which is the most reliable of humane slaughter methods that they have been experimenting with.

Mr. PETERSON. That is quite true, Senator.

Senator HICKENLOOPER. It is a matter of evolution, economics, and sensibility, I take it.

Mr. PETERSON. I think it is all of those things. They have all got to be associated together.

Senator HICKENLOOPER. If this bill should be passed and the Government agency should be prohibited from purchasing meat for various Government programs or for military, only from plants that certify that they do all their killing by certain prescribed humane methods, under present circumstances would that not limit Government purchases to a comparatively few plants?

Mr. PETERSON. We believe that it would, Senator.

Senator HICKENLOOPER. And that most of the plants probably, under present circumstances, would not consider it feasible to make this overall conversion in order to be able to bid on Government meat?

Mr. PETERSON. That may be true. Certainly there would be conversions necessary to be made.

It depends upon what we would declare as being humane methods, and the ability of the plants to incorporate those methods into their slaughtering processes.

Your original statement, I think, is entirely correct. This is a matter of economics, of human sensibilities, of benefits to be derived, which in the aggregate result in more humane treatment and handling of animals.

Senator HICKENLOOPER. And today, from the standpoint of the department and other experts as far as you know, is there a method or methods that can be scientifically and otherwise said to be completely humane?

Mr. PETERSON. Not to our knowledge.

Senator HICKENLOOPER. Therefore, to adopt regulations as of the moment would indicate, as I understood your testimony a while ago, to mean that what would be considered humane today, next year, the year after, or 3 years from now, with the developemnt of further experimentation and new methods, might cause the methods declared to be humane today to be discarded?

Mr. PETERSON. That is quite correct.

Senator HICKENLOOPER. With correspondingly revolutionary changes required in order to meet the provisions of this law?

Mr. PETERSON. That is quite correct.

Senator HICKENLOOPER. Let me ask you this: Because it is either an exception or it is apparently attempted to be an exception to the law. The question of slaughter in connection with religious beliefs, specifically referred to in section 2 (b) as slaughtering in accordance with the Jewish rite. I believe that those principles are very deeply ingrained over thousands of years into the Jewish religion, are they not?

Mr. PETERSON. That is my understanding, Senator.

Senator HICKENLOOPER. Things of that kind, I think, have to be approached pretty carefully in order to avoid by the greatest possible effort attempting to dictate the changes in deep-seated religious convictions or methods or attempting to alter them?

Mr. PETERSON. I think it would be a big departure for us to legislate religious beliefs.

Senator HICKENLOOPER. No one here wants to attempt by legislation to alter the age-old faiths of any people in a free society which has survived as long as it has.

In slaughtering under the Jewish ritual, are the animals shackled before the carotid arteries are cut?

Mr. PETERSON. Senator, I am not familiar with all the practices that are used in accordance with the religious beliefs under the Jewish faith. Perhaps Dr. Miller or Dr. Clarkson could elaborate on that. I don't know from my personal knowledge.

Senator HICKENLOOPER. I won't pursue that if you are not familiar with it. I was interested in Senator Young's question about fowl. It is my impression that the method you described is quite generally in use. This bill apparently does not touch the killing or market preparation of fowl of various kinds.

Mr. PETERSON. I believe not.

Senator HICKENLOOPER. That is all, Mr. Chairman.

The CHAIRMAN. Mr. Secretary, I would like to ask you this question: I wonder if you could get the solicitor of your department to study this bill and make a determination for us as to whether the bill as drafted wold violate the Department's views on the Jewish faith.

Mr. PETERSON. We will do that.

The CHAIRMAN. If this committee should decide to act favorably on this bill, would it be advisable to limit its application to certain establishments of certain size, instead of making it apply to all establishments in the country? In other words, my idea is to pass something as a starter, if this committee should decide to take that course.

Mr. PETERSON. I think that the results would give some economic advantage, perhaps some other advantages to the nonregulated plants in that case, Senator. It is my personal view that when the police power of government is used, it should apply equally to everyone who is engaged in the processes to which the power is applied.

The CHAIRMAN. So that it would have to apply to all or none?

Mr. PETERSON. That would be my personal view, Senator. I think it is quite unfair to do otherwise.

The CHAIRMAN. The second point I would like to ask is this: As I pointed out, the sale of the products of these slaughter houses will be denied to the armed services and other Government agencies. Would it be advisable to limit the sale, let's say, to the armed services, and leave the others out?

In other words, what I am trying to get from you, if this committee should decide to enact some kind of legislation, to make a start, I want its application to be such as to easily administer it. I can well understand the implications involved here in the school-lunch program and section 32 programs and the impact that a bill like this would have in forcing probably the Army to buy abroad instead of buying here. Our economy is in a bad shape now according to some. I don't think it is. I would be the last man on earth to deepen this recession we are having.

The point is, do you think that if the committee should decide to make a start that it would be practical to relegate the application of this measure, say, to purchases by the armed services?

Mr. PETERSON. Senator, the reason I hesitated in response to your question is that I am not sufficiently familiar with the locations and degree and methods of purchase by the armed services to personally know what the impact would be. I can only say this: That should the committee report a bill and the Congress enact a bill, we will certainly do everything we know how to make it work.

The CHAIRMAN. Do you know what percentage of the meat products produced in our country is purchased by the armed services?

Mr. PETERSON. I do not, Senator.

The CHAIRMAN. Do you know what percentage is utilized by other agencies?

Mr. PETERSON. No, I don't know that, either.

The CHAIRMAN. Are there any further questions?

(No response.)

If not, we are indebted to you, Mr. Secretary.

Mr. PETERSON. Thank you.

(Additional statements filed by the Department of Agriculture are as follows:)

UNITED STATES DEPARTMENT OF AGRICULTURE,
OFFICE OF THE GENERAL COUNSEL,
Washington, D. C., May 13, 1958.

HON. ALLEN J. ELLENDER,
*Chairman, Committee on Agriculture and Forestry,
United States Senate.*

DEAR SENATOR ELLENDER: This is with reference to your request for our views as to whether H. R. 8308 contains a complete exemption for the practices of religious faiths with respect to slaughter and handling in connection with slaughter of livestock.

Section 2 of the bill contains a congressional finding that the following method of slaughter is humane:

(b) by slaughtering in accordance with the ritual requirements of the Jewish faith or any other religious faith that prescribes a method of slaughter whereby the animal suffers loss of consciousness by anemia of the brain caused by the simultaneous and instantaneous severance of the carotid arteries with a sharp instrument."

In view of such finding this method apparently would conform to the public policy set forth in section 1 and meet all of the requirements of the bill. The situation is somewhat different with respect to any religious slaughter method other than one described in section 2 (b). There is no specific finding with respect to the humaneness of such other methods. However, section 6 of the bill provides that "Nothing in this Act shall be construed to prohibit, abridge, or in any way hinder the religious freedom of any person or group to slaughter and prepare for the slaughter of livestock in conformity with the practices and requirements of his religion."

The scope of this provision is not clear. While it could be contended that the section fully exempts all religious slaughter methods, in view of the fact that the finding in section 2 (b) is confined to a particular method, it would appear that section 6 may be intended to exempt from the provisions of the bill religious slaughter methods, other than the one specified in section 2 (b), only if the livestock products are for the use of the members of the religious group.

The language of section 2 (b) indicates that the religious method described therein as being humane applies to slaughter only and does not encompass the handling of animals in connection with slaughter. The discussion on the floor of the House of Representatives concerning the provisions of this section also indicates that the described method is not intended to apply to such handling (104 Congressional Record 1430, daily edition, February 4, 1958). Section 6 apparently would exempt from the provisions of the bill the handling of animals in connection with slaughter in accordance with the requirements of a religious faith when the livestock products are for the use of the members of the religious faith. For the reasons heretofore indicated, however, there is serious question whether the exemption would extend to the handling of livestock in connection with slaughter when the livestock products are intended for other purposes.

Sincerely yours,

R. L. FARRINGTON,
General Counsel.

UNITED STATES DEPARTMENT OF AGRICULTURE,
AGRICULTURAL RESEARCH SERVICE,
Washington, D. C., May 15, 1958.

HON. ALLEN J. ELLENDER,
United States Senate.

DEAR SENATOR ELLENDER: In response to your verbal request, the following information about experimental electrical stunning of hogs conducted under the auspices of the American Meat Institute is furnished.

These experiments were started in 1939 by Dr. J. P. Simonds, of Northwestern University at Chicago and, after being delayed somewhat by World War II, were finally concluded in 1947. Upon the completion of the investigation, one copy of a paper describing the experiment and results in considerable detail, including photographs, was furnished to the Department. The report indicated that every combination of voltage, milliamperage, and timing used in the experi-

ments produced petechial hemorrhages in the glands and organs which resembled hog cholera and other septicemic diseases that are frequently found by veterinarians in hog carcasses.

It was not considered practical for veterinarians to differentiate between the lesions produced as a result of electrical stunning and the lesions associated with disease conditions when conducting post mortem examination at the rates that hogs are regularly slaughtered.

Sincerely yours,

M. R. CLARKSON,
Deputy Administrator.

The CHAIRMAN. The next witness is Colonel Seeley.
Colonel, will you identify yourself for the record, please.

**STATEMENT OF COL. ALPHEUS H. SEELEY, SUBSISTENCE DIVISION,
OFFICE OF THE QUARTERMASTER GENERAL, DEPARTMENT OF
THE ARMY**

Colonel SEELEY. I am Col. A. H. Seeley, Subsistence Division, Office of the Quartermaster General, representing the Department of Defense.

I do not have a formal statement. We have submitted a letter to the committee.

The Department of Defense is in complete agreement with the purpose of the bill, the humane slaughter of livestock. However, we are opposed to section 3. Section 3 would require us to obtain from all of our contractors a statement of eligibility to be in compliance with the bill.

We feel that since there is no known device that will render 100 percent of all animals senseless with a single blow, that this may be difficult. And further, that if some other devices are found to be approved, such as gas chambers, that the cost of installation and operation may seriously reduce our competition. This of course will result in higher prices.

The CHAIRMAN. What is your basis for that statement? We had evidence here yesterday to the effect that in many instances where some of these new methods of slaughter were invoked that it reduced costs.

Colonel SEELEY. I think that that is true, sir, in these methods that have been introduced based on economic factors. But these methods have not been cleared by the Department of Agriculture as being humane. So we are working in a void there. We don't know exactly what methods will be approved by the Department of Agriculture and what the cost of installation and operation of these devices might be.

Senator HICKENLOOPER. Mr. Chairman, may I clarify that?

The CHAIRMAN. Yes, Senator Hickenlooper. Interrupt any time you want.

Senator HICKENLOOPER. When you say it might reduce your competition, do I understand you to mean that many plants might not convert in order to become fully eligible and it would leave a much lower number of plants eligible for your purchases and thereby reduce the field of competitive bidding to those few plants that might elect to be in complete compliance with this law?

Colonel SEELEY. That is exactly right. We feel that it may not be financially possible for some of our small business producers or con-

tractors to get in line and that some of the large business packers would be unwilling to get every one of their establishments in line to do business with us since we represent such a small portion of the national product.

The CHAIRMAN. Will you tell us what that portion is? That is, what percentage of the slaughtered meats that are covered by this bill does the Army use, generally speaking?

Colonel SEELEY. It runs approximately 2 percent. The figures reported in March by the Agricultural Marketing Service stated approximately \$251½ billion as all-meat output, as against our procurement of approximately \$600 million.

The CHAIRMAN. Do you know from how many plants your products come from?

Colonel SEELEY. That is a constantly changing figure. If cattle are in good supply in one area, or if a certain vendor may have a capacity say in the sausage kitchen he may become an active bidder. At other times if his commercial business is such that he does not need our business we might not hear from him for a year. All together there are over 1,200 plants eligible to do business with us now.

The CHAIRMAN. What is the yardstick of eligibility?

Colonel SEELEY. Federal-inspected.

The CHAIRMAN. Irrespective of size and location?

Colonel SEELEY. Yes, sir.

The CHAIRMAN. An assertion was made yesterday that this bill may affect the purchase by you of products that are usually bought around a camp, say such as those located in Georgia, or Alabama. To what extent do you buy locally?

Colonel SEELEY. For troop feeding most of our procurement is on the national market.

The CHAIRMAN. So you don't purchase very much locally except probably sausage?

Colonel SEELEY. Some small quantities of resale items; snack bars, PX purchases, things of that type.

The CHAIRMAN. Would they be included?

Colonel SEELEY. No, sir.

The CHAIRMAN. Snack bars?

Colonel SEELEY. No, sir; I presume they wouldn't, as a Federal agency. That is not appropriated funds.

The CHAIRMAN. So that that would be excluded. Of course if we strike from the bill section 3, we would be extracting all the teeth out of the bill. In other words, there is no penalty attached.

Colonel SEELEY. Sir, we are the ones who would pay the penalty and we have no way to overcome our position to gain relief.

The CHAIRMAN. Have you made any study of this to determine the extent to which it would increase the cost to the Government in its purchases of meat and meat products should this bill go through?

Colonel SEELEY. No, sir. Until methods are determined that would be acceptable and their cost is known, and the cost of operation, those factors are not known to us. We can only assume that if our competition is reduced and our processes are increased, there will be a cost factor there.

The CHAIRMAN. Colonel, I notice that you are a veterinarian?

Colonel SEELEY. Yes, sir.

The CHAIRMAN. Have you ever made a study of the meat product as it is affected, let's say, by using electricity prior to killing, or the use of gas or any other methods now known?

Colonel SEELEY. I have not personally made any study. I know of no such study. We currently procure animals of all classes that are slaughtered by these various methods.

The CHAIRMAN. You make no distinction?

Colonel SEELEY. No, sir.

The CHAIRMAN. That is the approval stamp that you look for before purchasing?

Colonel SEELEY. Before we consider purchasing; yes, sir.

The CHAIRMAN. You have never made any study of this?

Colonel SEELEY. No, sir.

The CHAIRMAN. Do you agree with Secretary Peterson that no known method has been yet devised as to what is humane and not humane in slaughtering cattle?

Colonel SEELEY. I would have to speak as an individual in that case. Yes, sir; I do agree.

The CHAIRMAN. You do agree?

Colonel SEELEY. I don't know of any method.

The CHAIRMAN. And that determination could not be made unless the research and complete study of it were to be made?

Colonel SEELEY. I would say it would have to be a very detailed study.

The CHAIRMAN. Your letter has been made a part of the record, Colonel. Is there anything else that you desire to add?

Colonel SEELEY. No, sir.

The CHAIRMAN. Senator Hickenlooper?

Senator HICKENLOOPER. Colonel, there is some interesting language here on page 2 of the bill, section 2. It apparently leaves the responsibility up to the Department of Agriculture to prescribe from time to time what would be humane methods of slaughter. This bill does not define humane methods of slaughter except to say, as I read it—

Either of the following two methods of slaughtering and handling are hereby found to be humane.

That is not a complete demarcation of humane methods. It says, as I read it, that among others these two are specifically found to be humane.

I presume it would be a legal matter, but I expect the Secretary of Agriculture could prescribe some other method because he is not limited in this act particularly.

Do you have any idea or any figures indicating how many plants today, or between now and the first of next January, in the United States, leaving out the specialized plants—that is, some plants that kill only hogs, let's say; and there may be plants in the United States that kill nothing but cattle, I don't know—do you have any idea of how many plants are in the United States that do diversified killing, who do today or could between now and January 1 convert to humane methods if, as, and when the Secretary prescribes them in all of these killing operations?

Colonel SEELEY. No, sir. I have no idea at all. I don't even know the slaughtering operations under the Department of Agriculture.

Senator HICKENLOOPER. I raised the question a moment ago with Secretary Peterson on the matter of killing under the ritual of the Jewish faith. Do you know whether animals are shackled prior to the cutting of the carotid arteries in the Jewish ritualistic killing?

Colonel SEELEY. I have only witnessed a slaughter where a nose device was used to snub the animal to a ring in the floor. That is to immobilize the animal partially.

Senator HICKENLOOPER. Under the ritualistic killing.

Colonel SEELEY. Yes. I don't know whether that is the common practice.

Senator HICKENLOOPER. The animal is not rendered insensible?

Colonel SEELEY. No, sir; it is merely restrained.

Senator HICKENLOOPER. Then I take it you are not too familiar with the methods of killing other than that one observation?

Colonel SEELEY. That is correct.

Senator HICKENLOOPER. So that you don't know whether generally the animal is rendered insensible prior to killing under this ritual or not in all cases, or in many cases, or whether it is a part of the custom?

Colonel SEELEY. From my observation the animal is never rendered insensible.

Senator HICKENLOOPER. I think that is all, Mr. Chairman. Thank you.

The CHAIRMAN. Thank you, Colonel, very much.

I will place in the record at this point a few telegrams received by me today, and I will ask that 2 or 3 of the typical telegrams be written in full, and the names appearing on the others be placed in the record.

(The telegrams are as follows:)

NEW ORLEANS, LA., April 28, 1958.

HON. ALLEN J. ELLENDER,
Chairman, Committee on Agriculture and Forestry,
Washington, D. C.:

Congregation Anshe Sfard of New Orleans urgently request your opposition to bills S. 1494 and H. R. 8308 which constitute a threat to the Jewish Ritual and humane method of slaughtering known as shechitah and a violation of the American principle of separation of church and state.

Dr. MORRIS H. LAUFER, *President.*

NEW ORLEANS, LA., April 28, 1958.

HON. ALLEN J. ELLENDER,
United States Senator from Louisiana,
Chairman of Agriculture and Forestry Committee,
Washington, D. C.:

As a member of the orthodox Jewish faith I wish to protest Senate bill 1947 and H. R. 8308. We would rather have our orthodox rabbis decide for us the proper method of ritual slaughtering of cattle for consumption than to have the Agriculture Department decide what is humane and what is not humane preparation and slaughtering of cattle. Unless the present bills are amended to provide the exception in favor of the preparation of animals for ritual slaughtering in addition to the present provision for the exception of ritual slaughtering itself persons having no understanding of our religion will decide for us what is proper instead of our own authorities. Please register my personal protest against the bills as presently submitted and do all in your power to help us out of this difficult position.

Dr. DAVID HEIMAN.

(Similar telegrams regarding humane slaughter legislation also were received from the following (all from New Orleans, La.):)

Ben Fisher, president, Jewish Burial Society of Congregations; Isidore Barton, president, Mizrahi Organization of New Orleans; Harriet Handelman, president, Beth Israel Sisterhood; Mrs. A. Lubritz; Jay Jalenak, president, Lodge 2180, B'nai Brith; Mrs. H. Kleinfeldt; Karl Baum, president, B'nai Brith Lodge 1769; Julius Katz, president, Lodge 182, B'nai Brith; James E. Fitzmorris, Jr.; Mrs. Harry M. Watsky, president, Sisterhood of Congregation, Anshe Sfard; Harry Herman, president, Communal Hebrew Schotl; Harry Lopp, chairman, Chevra Kadisha; Abe Goldman; Sidney Kayman; H. Hersherberg; Abraham Goldfarb, vice president, New Orleans Zionist; Rev. A. F. Finegold; Joseph Rosenberg, president, Menorah; Abe and Israel Goldberg; Rev. Paul Cziher; New Orleans Chapter Hadassah; B'nai Brith Women 397; Dr. Israel H. Weisfield, and Maurice Handelman, president, congregation Beth Israel; and David L. Herman, acting president and first vice president, congregation Chevra Thilim.

The CHAIRMAN. Our next witness is Mr. John Harvey.

STATEMENT OF JOHN HARVEY, DEPUTY COMMISSIONER, FOOD AND DRUG ADMINISTRATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Mr. HARVEY. Mr. Chairman, I am John L. Harvey, Deputy Commissioner of the Food and Drug Administration of the Department of Health, Education, and Welfare.

The interest of the Department of Health, Education, and Welfare, and of the Food and Drug Administration, in this proposed legislation on humane slaughter, stems from the fact that the Food, Drug, and Cosmetic Act applies to the devices or chemicals that would be used for the purposes of humane slaughter and from the fact that meat is subject to the Food, Drug, and Cosmetic Act to the extent that the Meat Inspection Act is not.

We have a concern since the proposed legislation does provide for the use of electrical, chemical, or other means in rendering animals insensitive to pain, and in producing slaughter, with the criterion that the means to be used must be rapid, effective, and humane, but without reference to whether or not those means may adversely affect the meat from the standpoint of the pure food laws or the Meat Inspection Act.

It is entirely possible that in the broad language that is employed for chemical, electrical, and other means, that means may be proposed which would constitute or produce an adulteration under the Meat Inspection Act or the Food, Drug, and Cosmetic Act.

The CHAIRMAN. Mr. Harvey, what you are saying, I believe, is included in one paragraph in a letter to me dated April 23, 1958, and signed by Mr. Elliott L. Richardson, Acting Secretary, in which he states:

Electrical means for stunning or killing animals can result in the formation of toxic substances in the tissues of beasts so treated. In that event such tissues would be adulterated and unfit for human consumption. Furthermore, the killing of a beast or rendering it unconscious through the administration of drugs or chemicals can result in residues of these substances in the edible portion of the animal, thus causing those portions to be adulterated. Adulteration could perhaps also result from some of the other means that might be authorized by rendering the animal insensible.

Mr. HARVEY. Yes, sir. That is the point that I have undertaken to make.

The CHAIRMAN. To what extent have you made studies with respect to this matter?

Mr. HARVEY. As to the specific problem, Mr. Chairman, none at all.

The CHAIRMAN. How was that conclusion reached?

Mr. HARVEY. Our pharmacologists and veterinarians are familiar with the fact—with the experience and studies they have made—as to the many chemicals and drugs that are employed in veterinary medicine and in the medication of feeds, and have some familiarity with the effects of electrical shock on animals, and recognize the fact that such treatments may carry over into the meat under some circumstances in a manner that would be objectionable from the standpoint of the consumption of meat.

We, therefore, thought it was appropriate to suggest that this legislation specifically provide that methods which would result in producing food products of that kind should be eliminated.

The CHAIRMAN. I understand that there are quite a few plants—to be specific, Hormel, which uses gas to render the animals insensible. Has your Department ever been called to make an inspection of those animals to determine whether or not there was adulteration or deterioration to the extent that you could declare it unfit for human consumption?

Mr. HARVEY. I can't answer that specifically "Yes" or "No."

The CHAIRMAN. That is the point. We are going to have some rebuttal testimony tomorrow. I would like to have you send me one of your men here who can give us that, to be specific as to that. I think the record ought to include some information as to the effect that the probable methods that are to be used by the Secretary of Agriculture would have on these meats. I think it is important to know that. If you don't mind, I would like you to get in touch with a man who knows about it, who has made a study of it, who can furnish us with evidence to which you are now referring, and of which you seem to have no knowledge of your own.

Mr. HARVEY. I beg your pardon, Mr. Chairman, for being a stupid witness.

The CHAIRMAN. I didn't mean it in that light, sir. But I have asked you if you have made a study of this and you said, "No."

Mr. HARVEY. I said that we have not made a study of the Hormel process of slaughtering animals.

The CHAIRMAN. Have you made——

Mr. HARVEY. Our pharmacologists tell me that they are familiar with the effect of the carbon dioxide upon the animal and the question of the carryover into the meat and it is not harmful. That is the only gassing process that is in use so far as they know, or so far as I know, and they tell me that that one is harmless. But——

The CHAIRMAN. How about the electrical process? Have you made any studies of that?

Mr. HARVEY. I understand that studies have been made of it, and that shocks can produce lesions in the meat that are undesirable.

The CHAIRMAN. Have studies been made by you or somebody in your Department to make that determination so that they can come here and testify for us tomorrow?

Mr. HARVEY. No, sir.

The CHAIRMAN. You haven't made it?

Mr. HARVEY. No, sir.

The CHAIRMAN. Where did they get that information? What is the basis of that claim? Just reading articles written by someone else?

Mr. HARVEY. The general scientific knowledge that is available, I believe, Mr. Chairman.

The CHAIRMAN. So there is nobody in your Department who can come here and testify as to the effect on meats that electrical shock would have except that they obtained that information from other sources than their own experiments?

Mr. HARVEY. I think that is correct; yes, sir.

The CHAIRMAN. Proceed.

Mr. HARVEY. I think that is all that I have to say, sir.

The CHAIRMAN. Did you have any questions, Senator?

Senator AIKEN. No. I am sorry I haven't been here for all the witnesses but I couldn't be two places at the same time.

Has testimony been introduced showing the comparative effects of the different methods of slaughter? For instance, I have heard that the electrical-shock treatment, which is recommended by some, has not worked out very well.

The CHAIRMAN. That is what I was trying to get.

Senator AIKEN. A suggestion was made 2 or 3 days ago that we see a motion picture showing how inhumane the slaughter of hogs is, how cruel it is. Word has come to me that that picture actually was taken to show a demonstration of the electrical-shock method of knocking out the hogs; that it failed at the time.

I asked to have the owner of the slaughterhouse contacted to find out what the facts were, and as far as I know the staff hasn't heard anything from him up to this time. Also, the gas method, is that more humane than a shock or a blow on the head? I think we want to be sure that the methods which we might call humane legislatively are in fact humane, and be careful not to approve some methods which in fact are not humane. It has been bothering me quite a lot since these hearings started.

The CHAIRMAN. We do have some evidence, as I recall, to indicate that the electric method was tried in Holland and some other countries and these methods have been abandoned.

Senator AIKEN. As I understand it, this motion picture was taken to help promote the sale of the electrical equipment that would be necessary, and it was used on an old sow which revived herself before they could stick her, and then they used a heavier voltage and again she revived.

We don't want to put a stamp of approval on that method if what I have been told is so. That is why I asked the staff to see if they could get the facts.

The CHAIRMAN. Of course the cattle, I presume, react to electric current the same as human beings. I have read of high voltage going through some person and killing them, and in others they have survived.

Senator AIKEN. Also, you would have to have very strict regulations as to the use of the electric-shock method, otherwise you might get human beings once in a while.

The CHAIRMAN. Are there any further questions?

Senator Humphrey, this is Mr. Harvey, from the Department of Health, Education, and Welfare.

Senator HUMPHREY. I regret that I have been tied up in another committee meeting.

What was the interest of the Department of Health, Education, and Welfare in this bill?

Mr. HARVEY. Senator Humphrey, I was expressing the interest of the Department from the standpoint that the language of the bill provides for the use of electrical and chemical means of slaughter and rendering insensible, and making the point that it might be desirable to have the language make certain that no means of that nature be used which would provide for a carryover of anything objectionable in the meat. In other words, that the result and the product is in conformity with the Meat Inspection Act and the Food and Cosmetic Act.

Senator HUMPHREY. Isn't that under the jurisdiction of the Secretary? The Secretary would determine what are the humane methods.

Mr. HARVEY. Certainly I think the Secretary, under this bill, would determine what the humane methods are.

Senator HUMPHREY. He wouldn't want to poison the meat; would he?

Mr. HARVEY. I am sure that he would not, but I think it ought to be entirely clear.

Senator HUMPHREY. I am sure you would not have anybody in charge of the Government agency, in charge of food, that would do that. Do you have such regulation in the Poultry Inspection Act? I recall vividly getting the Food and Drug Administration into the poultry inspection proposition, with not too much help from the Government, if you will pardon me for saying so, because I am interested in the Food and Drug Act, very interested, professionally and in terms of my public service.

Mr. HARVEY. I appreciate that, sir.

Senator HUMPHREY. I want to know what provisions you recall in the Poultry Inspection Act which says in the process of killing poultry you shouldn't have anything that might poison the food. What kind of regulation is that?

Mr. HARVEY. I know of no specific provision with respect to the introducing of anything into the poultry at the time of the killing.

Senator HUMPHREY. You have to kill poultry.

Mr. HARVEY. That is true.

Senator HUMPHREY. And it is to be presumed that they are to be killed in a manner which will in no way affect adversely the edible qualities of the meat or the food?

Mr. HARVEY. I agree that it is to be presumed so.

Senator HUMPHREY. I recall vividly being in the presence of food and drug people at the time that we wrote up the bill on poultry inspection and I don't recall that you brought up one single word, not you, sir, but your agency, with reference to the possibility of pollution or injury to food on the basis of the means of slaughter.

Mr. HARVEY. I don't think that came up at all in connection with the poultry.

Senator HUMPHREY. Why not, since you are worried about this bill?

Mr. HARVEY. There was no concept of the use of anything other than conventional methods of decapitation.

Senator HUMPHREY. I wouldn't say that.

Mr. HARVEY. I know of none.

Senator HUMPHREY. There are many ways to kill poultry.

Mr. HARVEY. I agree.

Senator HUMPHREY. And we relied upon the matter of the killing and inspection to be left up to the Department, isn't that correct, so that the food is clean and wholesome and palatable? All I am saying—and don't misunderstand me, I agree with you that we want to be sure that whatever food is available for the American people is desirable food and clean and is not contaminated and has no injurious qualities—all I am saying, with all due respect to you, is that if you have this feeling about this kind of bill, then why haven't we had the feeling about other things? Why did the Department have to dig way down into the bag and come up with a complaint about this kind of legislation, a fear which it didn't have with reference to the other?

Mr. HARVEY. I think this presents a different problem, Senator, from any that we have had heretofore. This is the first time I knew anything about—

Senator HUMPHREY. They killed chickens with electrical processes, you know that, don't they?

Senator AIKEN. They stun them.

Senator HUMPHREY. Of course.

Senator AIKEN. They stun them to keep them from flapping and causing blood clots to form in the meat. I understand it has been used very satisfactorily in chickens and is in common use in some of the up-to-date slaughterhouses. I was also pointing up before you came in that in the case of hogs, I have heard—and I didn't see it—that electrical methods used on hogs had just the opposite effect.

Senator HUMPHREY. I think that may be true. I am not an expert in it.

Senator AIKEN. It was not satisfactory, at least so far as it has been tried out so far.

Senator HUMPHREY. I don't claim any expertise in it. I do feel that people in this business know what they are doing, and I know that in the matter of poultry they do use an electrical process as Senator Aiken said for stunning purposes. I don't recall the Food and Drug Administration ever coming up here and saying that might contaminate the food or hurt it. They have a regulation in here saying that if you have electricity in there it should not injure the food.

It is possible you may use gas to put away chickens. Isn't that possible?

Mr. HARVEY. This bill provides for chemical, electrical, and other means.

Senator HUMPHREY. May I say that whether the bill provides for it or not, if there were no bill it would still be possible for a private packer or private processor to use any and all kinds of means which seem satisfactory in terms of slaughtering. There is no regulation at the present time that says that you couldn't kill chickens with carbon dioxide, is there?

Mr. HARVEY. No.

Senator HUMPHREY. Why haven't you had rules in the Food and Drug Act then saying that if you are going to use carbon dioxide you had better be sure that it doesn't contaminate the food? What I am getting at is how do you come up at this late date on this piece of legislation on worries and fears and doubts and tribulations which you didn't manifest a year ago right in this same room?

Mr. HARVEY. I think that the Poultry Inspection Act dealt rather thoroughly with the question of wholesomeness, and provided for the elimination of any unwholesome poultry in the inspection.

Senator HUMPHREY. The red meat inspection program provides for wholesomeness of meat.

Mr. HARVEY. This legislation would provide for the approval of the means, the approval of the chemical, electrical, and other means.

Senator HUMPHREY. In the hands of the Department?

Mr. HARVEY. That is right.

Senator HUMPHREY. And the Department of Agriculture it is presumed, since it already inspects red meat, assures that it is wholesome. I get that "U. S. Inspected," and take their word for it that it is clean and wholesome, since I have never met the people who do it, except the top brass. I just assume that you people in the Department of Agriculture know what you are doing. So I take your word for it. I take the word of the Secretary that when he says that it is "U. S. Inspected," that is what it is.

I am not going to bear down on the point. It seems to me that we are gnat picking here.

The CHAIRMAN. Senator, what the witness is trying to say, I believe, is should Congress decide what is found to be humane, without knowing what effect it is going to have on the meat. You don't know, either; that is the point.

We are saying in effect, we are directing the Secretary of Agriculture, that we find that slaughtering and handling of animals is found to be humane if followed under 2 (a) and 2 (b) of this bill.

Senator HUMPHREY. Correct.

The CHAIRMAN. Suppose I say it contaminates the meat. Are you going to force the people to eat it? That is about what the witness is trying to say.

Senator HUMPHREY. Of course not.

The CHAIRMAN. Of course you won't.

Senator HUMPHREY. You have other laws to prevent that kind of action. My point is, Mr. Chairman, I am aware of the controversy that surrounds this bill and there are some valid arguments, but this is not one of them. And the reason it is not one of them is because there are all kinds of ample protection set up under the Food and Drug Act, under the provisions of inspection with which you are familiar and with which I am familiar, and under the Meat Inspection Act that would obviate any possibility of contamination unless you wanted to violate the law.

You can slaughter something humanely, but that doesn't still mean that you can peddle it in the market. Isn't that right?

Mr. HARVEY. I think that is right.

Senator HUMPHREY. You can slaughter something with a feather but you still can't peddle it in the market unless it is inspected and approved. Is that right?

Mr. HARVEY. Yes, sir.

Senator HUMPHREY. What I am getting at is that it doesn't make any difference how you may slaughter as to the edible qualities of the product. That is a second stage of inspection. We know these things; we are mature people. All I am saying is that regardless of how you may slaughter something, that has nothing to do with its marketing. The marketing is determined in the instance of poultry by the Agricultural Marketing Service and in the instance of the red meat by the Meat Inspection Division. And in all instances the Food and Drug Administration has the right to declare something contaminated and confiscate it. Right?

Mr. HARVEY. I don't think the Food and Drug Administration has the right to declare——

Senator HUMPHREY. You can test and if you find it contaminated you are obligated to do so.

Mr. HARVEY. They can go to court after the contamination occurred and prosecute the vendor.

Senator HUMPHREY. And get an injunction and restraining order.

Mr. HARVEY. Yes, sir. You cannot prevent it before it happens.

Senator HUMPHREY. Of course you can't prevent contamination before it happens. Your job is to inspect to see if it is contaminated.

I am weary of the arguments that try to make a strawman. There is no doubt but that in any kind of slaughtering practice you might injure the meat. There is a possibility that there may be contamination out of any kind of slaughter, humane or inhumane. The point I make is that we have inspection services that are supposed to be designed to prevent the use and the sale and the transshipment of any contaminated product. Isn't that the law?

Mr. HARVEY. There are laws that require inspection of the meat after the slaughter.

Senator HUMPHREY. And I am one who believes that the Food and Drug Administration should have broad authority in this area, you know that. And you got considerable authority under the Poultry Act.

Mr. HARVEY. The Department of Agriculture.

Senator HUMPHREY. And the Food and Drug got considerable authority. We gave you plenty. You didn't get as much as I wanted you to have but you got a lot. You got more than you started out with.

The CHAIRMAN. Are there any further questions?

Mr. HARVEY. May I say one further thing, Mr. Chairman?

I would like to have it clearly understood that the Department is not speaking against this bill at all. My purpose was merely to point out the possibility that the broad language might produce violations that might be corrected.

Senator HUMPHREY. Do you have any suggestions for amendments?

Mr. HARVEY. In the Secretary's letter that was submitted to the committee and I believe that has been made a part of the record, there are specific suggestions.

Senator HUMPHREY. Insofar as the protection on contamination?

Mr. HARVEY. Yes, as concerns the Food, Drug, and Cosmetics Act.

Senator AIKEN. Has any study been made, Doctor, to determine the effect of the various types of lethal gases on meat?

Mr. HARVEY. They haven't been made by us, not in my department.

Senator AIKEN. I raised the question the other day as to the humanness of gas for the purpose of putting an animal out because I will never forget the one time I had gas to have a tooth out. I wouldn't wish that on any animal. I know it would be much less painful to have my head cut off.

I am wondering if we should attempt to have a law with a penalty for anyone who slaughters inhumanely, regardless of the method. I am just wondering how far this committee can safely go in approving methods which we don't know about.

We could require humane slaughtering of any animal any place, any time, with a penalty for inhumane slaughter. Do we want to approve the use of gas unless we know the effect on meat? Is there any fallout from it? We have heard a lot about strontium 90. I wouldn't know strontium 90 from a man coming in the door. They say it is not good, but it is not noticeable at the time and we don't know much about it. And I say we haven't made a determination of the gases.

Senator SYMINGTON. Are there any studies regarding slaughter by nuclear methods?

Senator AIKEN. I don't know.

The CHAIRMAN. Are there any further questions?

If not, we thank you.

At this point I wish to place in the record a letter addressed to me as chairman of the committee and signed by John C. Lynn, legislative director, American Farm Bureau Federation.

Also, a letter addressed to me, dated April 25, from the National Wool Growers Association, signed by Edwin E. Marsh, executive secretary.

And one by the National Farmers Union, dated April 29, addressed to me, signed by J. A. Baker, director.

As well as another, dated April 28, addressed to me as chairman of the committee, from the National Council of Farm Cooperatives, signed by John J. Riggle, secretary.

(The communications referred to are as follows:)

WASHINGTON, D. C., April 29, 1958.

HON. ALLEN J. ELLENDER,

*Chairman, Senate Committee on Agriculture and Forestry,
House Office Building, Washington, D. C.*

DEAR SENATOR ELLENDER: On behalf of the American Farm Bureau Federation we would like to express our views with regard to bills requiring the compulsory application of so-called humane methods in the slaughter of livestock and poultry. Naturally, as a representative of livestock producers, we have a tremendous interest in this matter.

With the membership in Farm Bureau at about 1,600,000, a very large majority of this membership is actively engaged in producing, feeding, and marketing livestock, dairy, and poultry. From a completely practical point of view we believe the humane handling of livestock and poultry at all levels is perhaps of greater interest and concern to us than to any other group. Farmers and ranchers usually give the utmost care to their livestock.

In considering this legislation it is necessary for us to view compulsory legislation in this field in light of its possible economic impact on livestock producers. It seems to us that the meatpackers, the humanitarians, the scientists, and others cannot yet agree on the most practical or even the most humane method for slaughtering livestock. In light of the controversy around this issue it seems to us that compulsory legislation at this time would be very premature and not in the best interest of either the producers of livestock or the consumer. We are opposed to H. R. 8308.

We would recommend that an advisory group under the direction of the Secretary of Agriculture be established to give concerted study to this problem. It is our belief that a great deal more could be achieved toward a solution to this problem on a voluntary basis than if compulsory legislation is passed. The success of any program of this kind is largely dependent on the willingness of those dealing with the matter to cooperate.

In other words, we strongly believe that the greatest progress toward the solution of this problem will come about through the development of voluntary programs, based on factual information made possible through cooperative efforts of all segments of the livestock, poultry, and meat industry and those interested in the humane handling of livestock and poultry at all levels of production and processing.

S. 1213 contains such a voluntary approach to this problem and the American Farm Bureau supports the passage of this legislation.

We respectfully request that this letter be made a part of the record of hearings.

Sincerely yours,

JOHN C. LYNN,
Legislative Director, American Farm Bureau Federation.

SALT LAKE CITY, UTAH, April 25, 1958,

HON. ALLEN J. ELLENDER,
*Chairman, Senate Committee on Agriculture and Forestry,
Senate Office Building, Washington, D. C.*

DEAR SENATOR ELLENDER: At the 93d annual convention of the National Wool Growers Association in Phoenix, Ariz., January 20-23, 1958, the following resolution was adopted:

"We are opposed to any impractical and uneconomic legislation regarding methods of slaughtering lambs. We commend the principles involved in Senate bill 1213, asking for a study of humane slaughtering methods."

We will appreciate your including this letter in the record of the hearings on humane slaughter legislation which you are holding from April 28 through May 1. This will serve as our endorsement of S. 1213.

Thanking you, we are,

Yours sincerely,

EDWIN E. MARSH,
Executive Secretary, National Wool Growers Association.

WASHINGTON, D. C., April 29, 1958.

HON. ALLEN J. ELLENDER,
*Chairman, Senate Agriculture Committee,
Senate Office Building, Washington, D. C.*

DEAR SENATOR ELLENDER: We are taking this means of expressing the views of National Farmers Union concerning the humane slaughter of livestock. We respectfully request that this letter be inserted in the record of the hearings.

The United States has fallen behind the progress made by other nations in the changeover from outdated and inhumane methods of slaughtering to the new and more humane processes. In Norway, Sweden, Denmark, and England, almost all bleeding and slaughtering of livestock is accomplished only after the animal has been quickly and completely rendered insensible.

While there has been some limited use of gas and the captive bolt device in the United States, the greater part of our commercial slaughtering continues to follow the pattern established before development of such new devices. Whether or not packing companies have adopted a humane method of slaughter depends no longer on the availability of humane methods. Moreover, the controversy, we believe, has now moved from the most advantageous method to the matter of the effective date when Congress, under the law, will declare the mandatory use of new and humane methods of slaughter. In this connection we feel that the effective date of S. 1497 is realistic.

We support legislation that will apply to interstate commerce shipments of meat and fowl products with local authorities having a jurisdiction over nonfarm intrastate shipments of such products.

Costs of more humane methods of slaughter are minor, especially in view of the steadily increasing profits of most meatpackers in recent years.

Hearings on the subject in both the Senate and House have been very helpful in establishing the need for legislation to assure humane slaughtering of livestock and poultry. It is increasingly evident that consumers and farmers support such legislation and that the meatpackers who as yet haven't adopted the new humane methods of slaughtering have given study to the matter awaiting action of Congress which will result in a humane slaughter law applicable to interstate shipments of meat and poultry.

Sincerely,

J. A. BAKER,
Director, Legislative Services, National Farmers Union.

WASHINGTON, D. C., April 28, 1958.

HON. ALLEN J. ELLENDER,
*Chairman, Committee on Agriculture and Forestry,
United States Senate, Washington, D. C.*

DEAR MR. CHAIRMAN: We favor the continuation and expediting of study, research and pilot plant tests in the processes and economics of various modes of humane slaughter of livestock, and poultry by the Department of Agriculture and the slaughtering industry, jointly and separately.

However, we do not believe that either the technical and economic aspects of these processes have reached the point where any one of them can be made a requirement by law without adversely affecting the economics and processes in the marketing and processing of livestock.

Since the farmer is the residual receiver of income from marketing agricultural products, after handlers and processors and distributors have taken out their capital, labor, transportation, tax and other costs and a profit, we need a conclusive determination that this is not another deduct which the farmer sustains in his income to satisfy a demand, laudable as the principle may be, for which nobody else is willing to pay, including the advocates.

Sincerely yours,

JOHN J. RIGGLE,
Secretary, National Council of Farmers Cooperatives.

Senator HUMPHREY. May I enter into the record certain messages and telegrams I have received?

The CHAIRMAN. Yes.

Senator HUMPHREY. I have only a few telegrams.

This is a telegram from Reverend Pepper, director, department Christian social relations, Protestant Episcopal Church.

Also, a telegram signed by professors of the University of Notre Dame.

Also, a message from the Southern Baptist Convention.

The CHAIRMAN. Those will be placed in the record at this point.
(The communications referred to are as follows:)

HON. HUBERT HUMPHREY,
Senate Office Building, Washington, D. C.:

The manner in which we slaughter food animals is not unrelated to the respect we have for all life. Many of our church members join those of other churches in hoping the Congress will put into law the provisions of your proposed bill or similar legislation.

Rev. ALMON R. PEPPER,
*Director, Department Christian Social Relations,
Protestant Episcopal Church.*

APRIL 30, 1958.

HON. HUBERT HUMPHREY,
Senate Office Building, Washington, D. C.:

We undersigned professors of the University of Notre Dame most profoundly shocked and scandalized by the abominable cruelties continually committed in American slaughterhouses and by the just as abominable efforts to perpetuate them urge the Senate Committee on Agriculture and Forestry to make it now possible to end this crime and unspeakable horror by recommending to the Senate

the passing of the humane slaughter bill, S. 1497, without any weakening or delaying amendments during this session of Congress. Please enter full text of this statement as testimony in the public hearing by the committee.

David L. Ardito, Paul C. Bartholomew, Westley C. Bender, William H. Bennett, Louis L. Bernard, Otto Bird, Ernest H. Brandl, Aloysius R. Caponigri, Robert E. Christin, James A. Corbett, Jose C. Corona, Earl H. Crisler, Edward J. Cronin, Bernard D. Cullity, Vincent De Santis, Joseph M. Duffy, C. Robert Egry, Norbert A. Engels, Christopher J. Fagan, Edward A. Fischer, John Fizer, E. K. Francis, Vito A. Girone, Walter D. Gray, John E. Hardy, Louis L. Hasley, Ferdinand H. Hermens, John E. Hughes, Herbert L. Johnston, Jerome J. Judge, Stephen Kertesz, Walter M. Langford, Francis Lazenby, Eugene J. Leahy, Donald J. Lewis, Joseph McGraw, Frank Montana, Paul M. Nastucoff, John F. Nims, Bernard J. Norling, Willis D. Nutting, Daniel H. Pedtke, Roger P. Peters, Frederick B. Pike, Rufus W. Rauch, William F. Roemer, Stephen H. Ronay, Arnold E. Ross, Alvan Ryan, Richard J. Schock, Raymond J. Schubmehl, Robert J. Schultz, John E. Semmens, Stanley S. Sessler, John H. Sheehan, Marshall Smelser, Andrew T. Smithberger, Richard T. Sullivan, Boleslaw Szczesniak, R. Catesby Taliaferro.

NASHVILLE, TENN.

To : Helena H. Smith, 103 Prince Street, Alexandria, Va.

From : Rev. A. C. Miller by telephone April 28, 1958.

Your letter strikes a responsive chord in my heart, because I have stood in our packinghouses and have observed the conditions to which your letter refers. The method used in our slaughter houses is both cruel to the animals and dangerous to those who work there. Moreover, it seems to me that these cruel methods cannot help but have an influence on the characters and the spirits of the men who must do this cruel and ghastly work.

I assure you that I shall be interested in the passage of any laws by Congress that will remedy this situation. And what is more, I shall be glad to work toward the enactment of these laws on every opportunity.

Such bills as Senate bill 1497 and House bill 8308, already passed by the House, are samples of the legislation required.

REV. A. C. MILLER,
*Executive Secretary, Christian Life Commission,
Southern Baptist Convention.*

Senator HUMPHREY. May I cite for the record that I had a check made? I believe Mr. Mouser or one of the staff members helped us get this information, and I want to be sure.

Was it you, Mr. Mouser, who got this from the Department of the Army relating to purchases of meat?

Mr. MOUSER. They were unable to give any definite information. That is actually what their statement amounted to.

Senator HUMPHREY. What do I have a message for then? You state:

I talked with the representatives of the Quartermaster General and they called their Chicago office. According to Mr. Baxter, no kosher meats are bought by the Department of Defense except for a very small amount of canned chicken at Passover, and these canned chicken purchases were for foreign posts. A small amount of kosher products may be bought by local commissaries but they have no records of these purchases and they feel that they are negligible. The meat inspection branch of the USDA has no records of kosher meat purchases by any Federal agency.

Mr. MOUSER. That is correct.

Senator HUMPHREY. I thought we should enter that as part of the record.

Did the Department, this morning, testify in behalf of a study bill? In favor of a study bill? I regret that I couldn't be here. I was in another committee.

The CHAIRMAN. Mr. Peterson testified against the bill. His testimony is here.

Senator HUMPHREY. Did he make any constructive suggestions? I knew of their opposition to the bill.

The CHAIRMAN. I asked quite a few questions and others did, which will appear in the record.

Senator HUMPHREY. I will look it over.

The CHAIRMAN. That concludes the hearings for today. The committee will stand in recess until tomorrow morning at 10 o'clock.

(Thereupon, at 11:50 a. m., the committee was adjourned, to reconvene at 10 a. m., Thursday, May 1, 1958.)

(Additional statements filed for the record are as follows:)

DENVER, COLO., April 29, 1958.

SENATE AGRICULTURE COMMITTEE,

Senate Office Building, Washington, D. C.

GENTLEMEN: We understand that you are holding hearings this week on bills relating to the humane slaughter of livestock.

The association is in accord and supports the position of the National Wool Growers Association in the endorsement of S. 1213, which calls for study and research to develop humane slaughter methods. In addition, there is no compulsory provision for setting up humane slaughter methods on any fixed date.

We certainly are in favor of humane slaughtering methods, but feel that compulsory legislation at this time is not in the best interest of the livestock industry because of insufficient knowledge of humane slaughtering methods for all types of livestock and because of the increase costs of compulsory humane slaughter which will inevitably be reflected back to the producer.

We would like to have this letter included in the record of the hearings on humane slaughter legislation.

Respectfully,

ROBERT FIELD,

Executive Secretary, Colorado Wool Growers Association.

RENO, NEV., April 29, 1958.

SENATE AGRICULTURE COMMITTEE,

Senate Office Building, Washington, D. C.

GENTLEMAN: Please be advised that this association supports the position of the National Wool Growers Association in the indorsement of S. 1213. It will be appreciated if you will include this letter in the record of the hearings on humane slaughter legislation.

Sincerely yours,

JOHN E. HUMPHREY,

Secretary, Nevada Wool Growers Association.

BOISE, IDAHO, April 30, 1958.

SENATE AGRICULTURE COMMITTEE,

Senate Office Building, Washington, D. C.:

We endorse Senate bill 1213 which calls for full study of humane slaughter as the House-proposed measure is untimely and can cause undue harm and injury to many with circumstances connected with livestock killing are not justified. Will appreciate your favorable consideration of S. 1213.

IDAHO WOOL GROWERS ASSOCIATION.

SAN ANGELO, TEX., April 30, 1958.

CHAIRMAN, SENATE AGRICULTURE COMMITTEE,
Senate Office Building, Washington, D. C.:

This association endorses the position taken by National Wool Growers Association in supporting S. 1213. Please place this telegram in the record.

ERNEST WILLIAMS,
Executive Secretary, Texas Sheep and Goat Raisers Association.

PHOENIX, ARIZ., April 30, 1958.

SENATE AGRICULTURE COMMITTEE,
Senate Office Building, Washington, D. C.:

This organization supports the decision of the National Wool Growers Association in the endorsement of S. 1213. We wish this wire to be included in the record of the hearings of the humane slaughter legislation.

ARIZONA WOOL GROWERS ASSOCIATION.

HUMANE SLAUGHTERING OF LIVESTOCK

THURSDAY, MAY 1, 1958

UNITED STATES SENATE,
COMMITTEE ON AGRICULTURE AND FORESTRY,
Washington, D. C.

The committee met, pursuant to recess, at 10:05 a. m., in room 324, Senate Office Building, Senator Allen J. Ellender (chairman of the committee) presiding.

Present: Senators Ellender (presiding), Humphrey, Symington, Thyne, and Proxmire.

The CHAIRMAN. The committee will please come to order.

We have the great pleasure of having before us Congressman Poage from Texas, who, I believe, is the author of the pending measures—one of the measures—before us.

Congressman, we are very glad to have you, and we'll be glad to hear from you, sir.

STATEMENT OF HON. W. R. POAGE, REPRESENTATIVE IN CONGRESS FROM THE 11TH CONGRESSIONAL DISTRICT OF TEXAS

Mr. POAGE. Mr. Chairman, I very much appreciate the chance to appear before your committee, and I appreciate the interest that your committee is giving to this subject. I recognize full well the burden that rests on every Senator, and the fact that you will take the time to give me time for a further consideration of this bill, I think, is worthy of commendation, and I appreciate it.

I am the author of one of the measures, the one that passed the House. You have a similar measure in the Senate which was sponsored by Senator Humphrey. Of course, it is the Senate measure that you are considering, but the measures are the same. At least, I assume you are considering a bill to prohibit inhumane practices and not simply a proposal to talk about the matter and still further postpone action.

The CHAIRMAN. There is no difference between them, is there?

Mr. POAGE. No, sir. I understand that they are identical so that we are merely considering the question of whether we should adopt a program of this type or not. It was not my purpose to burden the committee a long time with the history of this legislation. You have gone into it, and I understand that today you are simply trying to catch up the loose ends that might have developed in the cross current of discussion, rather than to go back into the basic need for such a program. I think, however, in reading some of the record, that that basic need has been challenged in a way that probably makes it desirable, that we recount what we all know; that for some

75 or 80 years, our packing institutions, while among the most efficient in the whole field of industry in the United States in some respects, have been the slowest to change their methods, as relates to slaughtering, of any of our industrial institutions in the whole United States. Our slaughtering methods, up until two years ago, in all of the larger plants, with possibly one exception, were almost exactly what they had been 80 years ago. There has been no serious effort on the part of the major packers until this agitation began to try to improve the methods of slaughtering, in spite of what has been said in some of the records.

The CHAIRMAN. Well, I think the record shows by questioning from me, I believe that it was only since this, as you say, agitation for humane slaughter that notice has been taken of it and consideration has been given to it. And I believe that the Department of Agriculture has testified along the same line. So that, irrespective of what happens to this bill, I think something good has come about up to now.

Mr. POAGE. I do, too, Senator. I think the discussion of the bill has already achieved a great deal, because the two largest packers in the world have both installed vastly improved methods as regards the slaughter of cattle since this bill was reported favorably in the House committee.

Prior to that, I think it is always worthy of note that certain of the large hog slaughterers had recognized from an economic standpoint that it was desirable from their own business standpoint to improve their methods, and they had done so.

So much for the need for the bill. I think the need for the bill is undisputed, except by a very small few who feel that this bill would in some wise interfere with their practice of religion.

The CHAIRMAN. But Congressman, all of us are for humane slaughter. I am. I would be the last man on earth not to be for humane slaughter. The only thing that bothers me is the method that we are seeking to use in this bill.

Now, I would like to ask you this, as author of the bill, if this isn't true, you don't have any penalties attached in the bill, except unless a slaughterhouse complies with Government regulations provided under this bill, they can't sell to a Government agency.

Mr. POAGE. That is the only sanction.

The CHAIRMAN. That wouldn't stop inhumane slaughter, would it? I mean, improve humane slaughter?

Mr. POAGE. We think it will stop it in about 90 percent of the cases.

The CHAIRMAN. You mean of the slaughterhouses?

Mr. POAGE. I mean by volume.

The CHAIRMAN. Oh, I agree on that.

Mr. POAGE. To be right specific, Swift and Armour, Wilson, Cudahy, and then the large hog packers like Morrell, Rath, Hormel, and so on, slaughter a large part of our meat. It isn't as large a part as it was 25 years ago, but it is still a very substantial portion of our meat.

The CHAIRMAN. I think the record shows that only 2 percent of the meat produced is consumed by the armed services.

Mr. POAGE. That is correct, but, of course, the sanction here is that if a packer, Armour & Co., for instance, does not comply with humane methods in all of their plants, they can't sell to the Government. In other words, they can't establish one plant simply to sell to the Government and ignore the humane methods in all of their other plants. The result is, if they are going to sell to the Government at all, they have to adopt humane practices in their entire operation.

They are either going to have to make the choice of following their old methods and selling simply to the civilian trade, the private trade, and ignoring the Government, or, if they are going to seek Government contracts, they will have to comply all around. We think the sanction will be even more effective for this reason. Once the large packers have adopted these humane methods, as Swift and Armour have for cattle, as Hormel has for cattle recently and did a long time ago for hogs, as Oscar Mayer has for hogs, as a number of others have already done that the demand on the part of the public for meat produced in a humane plant will of itself encourage a great many packing plants to comply that would not be required to under the terms of this act. We wanted to keep the penalties from being any more severe than these.

This bill was originally proposed with criminal penalties, making a crime out of these acts. There is no criminal penalty connected with this bill as it now stands.

The CHAIRMAN. Are you for criminal penalties?

Mr. POAGE. I am not for criminal penalties.

The CHAIRMAN. I didn't think you were.

Mr. POAGE. I think this is a much better approach.

The CHAIRMAN. But you concede, don't you, that it would be much more effective if penalties are used to reach ends sought?

Mr. POAGE. Yes; but I think it is like our price-support program for agricultural products. I think you will agree if we put a penalty on every bushel of corn produced on excess acreage, we can bring down the production of corn, but——

The CHAIRMAN. That is the only commodity that doesn't have a penalty.

Mr. POAGE. That is right.

The CHAIRMAN. I have contended, since you brought the subject up, that this should be treated like any other commodity. I think you do, too.

Mr. POAGE. Our bill that is now being considered by our committee does not relate to that. We'll probably come out with a bill that will give the farmers a choice between penalties and effective supports on the one hand or no supports and no penalties on the other hand.

Just to give you an idea of the way people have of getting information based on a failure to understand this bill, I had a letter yesterday from the president of one of our country farm bureaus in Texas, bitterly criticizing this bill and criticizing me and telling me he wouldn't be able to ship his cattle interstate if he followed his normal practices of branding and dehorning. Now, of course, the bill hadn't a thing in the world to do with his practices of branding and dehorning, because we don't know any better methods of doing those things than we have today. It hasn't a thing in the world to do with the shipment interstate, because we don't rely on the penalties of inter-

state commerce and the sanctions of criminal penalties. Somebody simply imagined how they would write a bill if they were writing a bill, and then told somebody else that the bill had been written in that form, which it was not.

As I see it, we come down to the proposition that there are a few people who don't want to understand the bill—there are a great many who honestly don't understand it, and they criticize on the basis that it contains things that it does not contain, such as relating to the handling of livestock on the farm or ranch.

I was reared on a ranch, Mr. Chairman, 30 miles from the closest railroad. Our whole livelihood depended on the livestock industry. My father went up the trail eight times and he drove cattle as far as from Texas to Montana. I have been in the cattle business in a very small way all my life, with the exception of a part of last year, when we dried out and I didn't get back in until it began to rain, but I am still in the cattle business and, obviously, I haven't any desire to destroy the cattle business or the cattle producers. As I see it, this bill cannot hurt anybody who is producing livestock, or anybody who is selling livestock.

The CHAIRMAN. I am sure of that, also.

Mr. POAGE. Well, there are a great many people who are suggesting that it would hurt them. I'm glad the chairman agrees that it won't, because I have observed that since Swift and Armour put in modern methods of stunning cattle, they haven't dropped the price of those cattle. It has not dropped back to the producer, as a great many people feared it would be. Nor has George Hormel paid any less for hogs. On the contrary, they paid as much as anybody else, and they bought those hogs for a number of years, used modern methods, and it turned out it saved them enough meat that normally would be damaged from bones that were broken and animals bruised swinging from the wheel, that they made a profit from. So it seems to me, from the economical standpoint, there is no reason for opposing this bill. It has proved successful to the packers who have applied it.

Industry fears a change, here as in many other things. The packing industry bitterly fought Federal grading back some 25 or 30 years ago—nearer 40 years ago, I believe it was, in the early 1920's. They bitterly opposed Federal grading of meat. Yet today, the packing interests come before our committee and yours, asking that it not only be continued, but that ample appropriations be made for it because they have found it is a success, and they are the most ardent advocates of it today. I predict the same thing will happen with regard to this humane slaughter bill. When we have it in application, the very people now fighting it will find it is advantageous to them.

There is only one other phase as I see it. There has been a great deal of criticism directed at this bill from a very small group on religious grounds. I am perfectly willing to admit that no matter how small the group, any group in the United States who has religious scruples is entitled to have its religion protected. I don't set myself up as an expert on religion. I wish I were in a better position to speak from that standpoint. I don't happen to be connected with a particular group that objects to this, but I would object to any legislation that I could see interfered with anybody's religion, regardless of

whether it be Baptist, or whether it be Mormon, or whether it be Jewish, or what it might be. Every citizen of America is entitled to his own religious beliefs, and to carry them out.

We made every possible effort, and I think we must be credited with sincerity in making an effort to try to write a bill that would in nowise interfere with anybody's religious beliefs. We know that there are groups in the United States that believe that the meat they eat must only be slaughtered in certain ritualistic methods. I find no fault with that, but again, speaking as one who is not an expert, I haven't heard one word of testimony, and there was none before the House committee, and I haven't observed it, in the cursory review that I have made of your record, where anybody tells us that their religion, that their ritual, requires any kind of inhumane treatment of any animal. On the contrary, we are told by the very people who object, "Yes, we are taught by the same law to be kind to animals." I recognize that and accept it. But it seems to me that a lot of them fight for something that has nothing to do with the right to slaughter animals in accordance with the Mosaic law. We have had a group of people here who have sought, really, to maintain the right to hoist animals, hoist them in the air, shackle them, and take a 1,200-pound animal up with a steel chain around his ankle, hoist him up into the air, break his bones or bruise him, or anything else. That seems to me to be the attitude that somebody wants to maintain, not a religious slaughter practice, but they want to maintain a method that has nothing to do with the slaughtering, and certainly nothing to do with religion, because I have had members of the same religion tell me that in their opinion, and there seems to be some argument among members of that religion as well as among members of other religions, and in my church there is a good deal of argument, too, but some of them tell me, "Why, we don't believe that it is proper to take an animal's shoulders off the ground at the time of the slaughtering." There are plenty of people in this country who believe that an animal must be slaughtered with his shoulders on the ground, and who believe that that is part of the Mosaic law. As for me, I don't so interpret it, but certainly nobody can contend seriously that any ritualistic law requires that an animal be shackled and hoisted, creating undue pain and suffering on that animal. Surely, that doesn't bring him into the kind of position that Aaron used when he slaughtered animals. He didn't have these modern electric hoists; he just had a ground to lay them on.

Certain packing places find it convenient to have a hoist while killing an animal. I don't think it is the duty of the American Government to protect slaughterhouse practices that have grown up in connection with some of the religious practices even though we agree that it is our duty to protect the religious practices. I am perfectly willing to go to the limit to see that the religious practices of any group, whether Jewish, Christian, or Mohammedan, be protected. But I am not willing, and I don't think that Congress has any obligation to protect slaughterhouse practices that are not necessary to the carrying out of those religious practices.

It seems to me, when we boil this thing down, that what this committee is called upon to do by these people, if I read this record correctly, is not to protect religious rights, but to protect some slaughterhouse practices because certain slaughterhouses in Baltimore or New

York City have found it convenient and economical for them to ignore the suffering of the animals in order to make the method of shehita a little cheaper for them. If we are to have to pay the price in inhumanity and cruelty to animals simply to save maybe 25 cents that it might cost that slaughterhouse to bring that animal down on the ground or use the Winder pan or use some humane method, it seems to me that has nothing to do with religion, that is a purely economic provision.

Mr. Chairman, I believe that about covers the points that I felt should be reviewed in my testimony. I, of course, would be delighted to discuss anything the committee wants to discuss.

The CHAIRMAN. I must confess that I didn't read all of the testimony that was presented to your committee, which I presume formed the basis of enactment of your bill. Has any testimony been introduced indicating that the methods that are prescribed in section 2 (a), and which are found to be humane, are actually humane? We have some testimony, for instance, to the effect that, with this rendering the animal insensible to pain by a single blow, no instrument has yet been found that would be 100 percent accurate, and I presume the same testimony was before you. However, some work was being done as to that.

Now, this one-blow method applies much better in the case of cattle than it does sheep or hogs.

Mr. POAGE. Senator, statements have been made to that effect to me, but nobody has explained to me why it does, except from the standpoint of the pushing of the hogs into the slaughter pan. That has been the only explanation that has ever been given to me. I have never understood why you couldn't, if you make a small chute, small enough for hogs, why you couldn't apply the same method to them.

The CHAIRMAN. You mean the single blow?

Mr. POAGE. Yes.

The CHAIRMAN. Well, it seems that the hogfat and the place of contact is so much smaller than that of cattle.

Mr. POAGE. It would take more time?

The CHAIRMAN. Not more time, but there is more chance of being inaccurate in that method.

Mr. POAGE. I think that unquestionably is true, unless you devote a little more time to it. Our subcommittee went to the slaughter houses, and I have personally used these captive bolt pistols. I personally have slaughtered with them, and other members of the committee did. Certainly we were not experts, but during the very short time that we operated them, we had no trouble whatever with them, and there was no difficulty whatever. One shot, in each instance, did bring down cattle which is what we were using them on.

The CHAIRMAN. How about hogs?

Mr. POAGE. Not hogs.

The CHAIRMAN. That was the point at issue here.

Mr. POAGE. But you can slaughter hogs with a blow on the head. I have done that on the farm, too.

The CHAIRMAN. I have seen it done, also, but I have seen them struggle also if you miss the critical area.

Mr. POAGE. That is right, if you miss the right point, because a hog has two heavy ridges on the skull that seem to thicken up on the

sides thicker than the bovine animals do. And, of course, if you hit one of those ridges, you are going to have to hit a little harder to achieve the results. You do have to devote a little more care to it; it does slow the operation down, there is no question about it. It is a little slower. But it can be done; you can take these Remington stunners, put any amount of force you want to behind them, within the realm of reason, of course. You can put more force to bear, actually, than most men are capable of. You can put more force to bear than you can with an ax, and we all know you can kill a hog with an ax. But you can bring more force to bear with a Remington stunner.

The CHAIRMAN. Did your committee go into the question of fright caused animals?

Mr. POAGE. Yes, we did; and I would like to call attention to what we saw at the Seitz Packing Co. at St. Joseph, Mo., because, to my mind, that little packing company has gone further than any company in the United States that I have seen in trying to do some practical things that cost practically nothing. Seitz only kills cattle.

Senator THYE. Did they handle hogs there?

Mr. POAGE. Seitz only kills cattle; they don't handle hogs. They are a cattle-slaughtering institution.

Senator THYE. Have you witnessed any place where they gassed hogs?

Mr. POAGE. Yes.

Senator THYE. What was the result of that?

Mr. POAGE. It worked almost perfectly. I won't say any of these methods are perfect, but it worked with an approach to perfection, if there is such a thing in the business. The hogs did come out insensible. Then they were carried up the line and their throats were cut.

The CHAIRMAN. Were they suspended afterward?

Mr. POAGE. First, they bring them out of the gas chamber. They drive them in on a belt on one side, a belt which comes down into the gas chamber. They keep them in the chamber for less than a minute, then the belt brings them out the other side of the gas chamber. It is like one of these endless ramps at the Dallas airport, may I say. As it comes out the other side of the gas chamber there are two men that put the hogs into position. The hogs just fall in any position when they're in the gas chamber. These men straighten them on the belt so that the head hangs over this moving belt, then another man slits the throat so that the blood spills over and goes over the side into a receptacle as the hog moves up, up to the scalding vat. The hog stays immobile during that time and falls into the scalding vat. But he is under the influence of the gas.

The CHAIRMAN. When is he attached to the carrier?

Mr. POAGE. You mean for the cleaning process?

The CHAIRMAN. Yes.

Mr. POAGE. After he comes out. After he comes out of the scalding vat, they bring him out on the other side and run him then about similar to what they do in any other plant. But they don't shackle the hog or attach him to the moving chain until after he is dead.

The CHAIRMAN. Do any of the hogs struggle after they are stuck?

Mr. POAGE. They don't stick them with this method.

The CHAIRMAN. They cut their throats?

Mr. POAGE. Yes, but we didn't see any hogs struggling.

I know the Department of Agriculture holds as they couldn't tell whether that hog had feeling or not; that they had never gone through a gas chamber themselves; and they, therefore, didn't have any idea how that hog felt after it had been gassed, and they, therefore, couldn't approve this method. But certainly, looking at the hogs, you would assume—the hog looks dead. We know that he was not dead, because we know if you run them out of the gas and don't do anything, in about 5 minutes, they'll revive and be none the worse for the experience, just as you and I have taken gas in a hospital and found that we ultimately revived from it. But the hog shows every evidence of being dead when he goes up that belt. We know that his life processes have not stopped.

We thought that the method that Hormel was using for hogs was excellent. At the time we visited the Hormel plant, they were still knocking cattle. They did it a little different from what Swift and Armour did, and I think their method was a little better. They did not run the great groups of cattle in that Swift and Armour do. That is what I thought was one of the better things about the Seitz plant. Seitz only kills four at a time. They put a cluster of strong electric lights in at one end of the chute. Those cattle will always look at the lights. It is just the nature of things. They will fix their attention on those bright lights. That gives you an opportunity to use this stunning pistol with less chance of inaccuracy than if they didn't have the lights.

Now, the lights cost them practically nothing. It is certainly not a matter that anybody can claim putting 4 big lights at 1 end of the chute has any great cost involved. The cattle look at the lights, and it enables the man with the pistol to simply place it at the animal's head without the animal moving or jumping, as they do in the larger packing plants. There they tried to knock cattle, putting as many as 5 in a chute at 1 time. A man is supposed to go along on a catwalk above them, and swing down and hit them, and of course, those cattle were moving in every direction they could. There was nothing to cause them to relax, and everything to cause them to be as nervous and as jumpy as they could possibly be. Yet under those conditions, they tried to kill them by hitting them on the head.

Of course, in the majority of the cases, they hit, but in a good many of the cases, they didn't.

The CHAIRMAN. Any further questions?

Senator THYE. I have none.

The CHAIRMAN. Thank you very much, Mr. Poage.

Mr. POAGE. Thank you for the opportunity to be with you.

The CHAIRMAN. Is Mr. True Davis present?

Mr. DAVIS. Yes, sir.

The CHAIRMAN. Will you step forward, Mr. Davis? Have a seat, sir. Mr. Davis, will you give your name in full, and identify yourself for the record?

Mr. DAVIS. I am William True Davis, Jr., president of the Anchor Serum Co., St. Joseph, Mo.

Senator SYMINGTON. May I say that Mr. Davis is one of the outstanding citizens of my State. I am very honored that he is with us this morning.

Mr. DAVIS. Thank you.

The CHAIRMAN. Mr. Davis, have you a prepared statement, or do you wish to speak from notes?

Mr. DAVIS. I haven't a prepared statement. I have some notes here.

The CHAIRMAN. You may proceed in your own way, sir.

STATEMENT OF WILLIAM TRUE DAVIS, JR., PRESIDENT, ANCHOR SERUM CO., ST. JOSEPH, MO., AND PRESIDENT, ANIMAL HEALTH INSTITUTE, DES MOINES, IOWA

Mr. DAVIS. With particular reference to this bill, I am speaking on behalf particularly of my company, which is a primary producer of anti-hog-cholera serum and virulent virus, which is one of the primary means of immunizing swine against hog cholera. Hog cholera is one of our greatest diseases of swine in this country. For that reason, there is a ramification of this bill that will effect the hog cholera serum producers.

The CHAIRMAN. In what respect?

Mr. DAVIS. Simply with the purpose of humane treatment of animals.

The CHAIRMAN. I thought this applied only to slaughter.

Mr. DAVIS. Well, that is true, but I wanted to explain to you how it does apply to all industry, please.

The CHAIRMAN. All right.

Mr. DAVIS. Anti-hog-cholera serum is made from the blood of swine. We have to properly prepare these animals. Their temperatures are taken practically daily; their health is guarded very carefully, and it is quite an expensive preparation getting them to the point whereby we may finally slaughter that animal to take the blood for the serum. Then, at that point, that carcass is sold to a federally licensed packing plant.

Now, with reference to the means of slaughtering this animal for our serum production, that is where I think that we run into trouble here, because one of the important end results of our product is in what we speak of as our final bleeding or taking of this for serum, and also, we can get the maximum yields from that animal, and if we cannot use the final product, as it is spoken of there, that would add 42 percent cost to the price of serum.

Senator THYE. If I may interrupt at that point, how many hogs do you have to so treat and to incubate this virus in annually?

Mr. DAVIS. This would have to be estimate as far as the industry is concerned.

Senator THYE. I mean your firm.

Mr. DAVIS. We would use approximately 300 per week.

Senator THYE. 300 hogs per week?

Mr. DAVIS. Yes, sir.

Senator THYE. How many are there that are processing this virus?

Mr. DAVIS. How many companies in the country?

Senator THYE. Yes, the vaccination.

Mr. DAVIS. I believe about 18 producers.

Senator THYE. You run about the same amount?

Mr. DAVIS. No, we are larger than some of the others. We are one of the three or four largest.

Senator THYE. You say a licensed packer. Any packing company could handle that hog so long as you had supervision of the blood at the time of the slaughter, is that so?

Mr. DAVIS. No, it has to be a federally inspected packer.

Senator THYE. They all are. They have Federal inspection over all slaughterers, but you have a license for the specific purpose of handling the animal which you have injected in order to create the infected blood so as to make the virus from which you make your vaccine. Isn't that right?

Mr. DAVIS. If I may correct, please, sir, we are speaking now of serum, because from serum hogs, those are the only edible carcasses. The virus pig that we make the virus from, those are diseased hogs. It has virulent virus.

Senator THYE. That was what I wanted to have explained. You are developing a fever in the animal in order to get a virus from which you develop a vaccine or serum? I know what the Department of Agriculture did in developing a serum in the foot-and-mouth disease in Mexico. They took several days to incubate the germ in the tongue of the animal. I was trying to get the record to show just what you were doing, because I wouldn't want to eat a carcass in which you had created a fever.

Mr. DAVIS. That is very true.

The CHAIRMAN. I want to get the record straight. I don't quite understand Senator Thye's question.

Do you say that in some cases, you sell the carcass of the hog?

Mr. DAVIS. If I may explain that again. We are speaking now of two separate processes. One is the process in which we make serum, which is a healthy animal. That carcass is sold to the packing plant. The other process is making a virulent virus, which is in a pig, and that is an inedible product.

The CHAIRMAN. Now, you put the bugs into the serum, is that it?

Mr. DAVIS. Well, if I may explain.

The CHAIRMAN. Maybe I don't understand. You go ahead.

Senator SYMINGTON. I don't understand it, either.

Mr. DAVIS. To start with, we take a very normal, healthy hog that is vaccinated against hog cholera, just as a human would be vaccinated against smallpox. Since that animal is already immune to hog cholera, we then take five cc's of virulent—that means deadly—hog cholera from a diseased hog over here.

We take five cc's of that diseased blood per every pound that this live hog weighs, and transfuse that into the live animal. That is the healthy animal.

Since this animal is already immune to hog cholera, he will not succumb to it, but in his system, a tremendous number of antibodies are built up, taking approximately 1 week. The animal is still healthy, yet he has specific antibodies against the disease, hog cholera.

Then we take three additional bleedings in the interim, and then finally, slaughter this animal with a total of four bleedings. Then that animal's carcass must be delivered to a packer within 20 minutes after slaughtering for processing in the packer's plant.

Now, it is that final bleeding, as I say, that represents some 42 percent of the total cost here.

Now, I have given a lot of thought to some of the suggestions in the bill. For instance, the CO₂ method, which I understand is in use at

certain packing plants. There is a strong doubt in the scientist's mind that we could use that blood for serum, since it would be carrying CO₂ particles in it. That is one of the unanswered questions. We don't know that. Certainly, with any farm experience that anyone has had, you know that the mechanical means of stunning swine would be one tough job, because they are pretty hard to get hold of to start with, you know.

The CHAIRMAN. Yes.

Senator SYMINGTON. May I ask a question, Mr. Chairman?

The CHAIRMAN. Yes.

Senator SYMINGTON. If you don't know about the CO₂ method, and we have been discussing this question of humane slaughtering for some 20 years, why hasn't the Department of Agriculture investigated the effect of CO₂?

Mr. DAVIS. I imagine because the problem has never come up.

Senator SYMINGTON. Hasn't there been some studying going on about this?

The CHAIRMAN. None. No studies have been made.

Senator SYMINGTON. No one in the Department of Agriculture has ever studied the question of humane slaughter?

The CHAIRMAN. That was the answer I got from two of the witnesses yesterday, that no specific study had been made as to methods of slaughtering, and that would include the gas chamber or the effect on the meat.

I don't know. That is left to the inspectors.

Senator SYMINGTON. Has the Congress ever suggested to the Department of Agriculture that they should study this matter?

The CHAIRMAN. No; except that when the humane slaughter proposal came before this committee a few years ago, as I recall, we directed a study of it.

Senator SYMINGTON. That was a direction; wasn't it?

The CHAIRMAN. But it never became law. That act never became law.

Senator SYMINGTON. It was voted down; was it?

The CHAIRMAN. Yes; actually the House just did not act.

Senator SYMINGTON. Thank you, Mr. Chairman. I apologize for having interrupted.

The CHAIRMAN. What we were trying to do was to make a study to determine various methods of humane slaughter. The Department has taken the position that it has had no money for that purpose, that it hasn't done so, and that no adequate studies have been made up to now as to whether or not the methods suggested in the pending measure will attain the end. That is, by the use of those methods, if they are found to be humane—they don't have any data on it.

That is why a suggestion has been made that money be provided to the Department to make a study, a careful study, of the methods suggested and, personally, I would be willing to do that. I think that this committee ought to certainly know whether or not the methods suggested are what they are said to be, humane.

Senator THYE. You see, Mr. Chairman—

The CHAIRMAN. The only way to find out would be by study. I asked the question of several witnesses here yesterday and the day before, I believe, and there is very little known about these methods

except that, as I understand, Remington and others are still experimenting, and in order to make it 100 percent foolproof, as far as the gas chamber method goes, we haven't had the opportunity of getting any specific advice on that from those who use it except this morning Congressman Poage stated that he visited a plant where that method was in use, and that it rendered the hog insensible. He was bled after he passed through the chamber, apparently without suffering.

Now as to whether or not it affects the meat, no study has been made, and we are still in the dark as to that.

Senator SYMINGTON. Could I ask one more question?

The CHAIRMAN. Surely.

Senator SYMINGTON. In the bill that was defeated before, was there any time limit that at a certain time the Department of Agriculture was instructed to come in with a report?

The CHAIRMAN. But it never became law.

Senator SYMINGTON. I know, sir, but did the proposed bill have in it that there would be a deadline?

The CHAIRMAN. This bill passed the Senate 2 years ago.

Senator SYMINGTON. I was just wondering if there was no deadline. He could study and study and not come back until 1975.

The CHAIRMAN. As I recall, the bill did provide for a study to be made by the Department of Agriculture, and Secretary was to report to us.

Senator SYMINGTON. Within a certain period, or just when he felt like it?

The CHAIRMAN. That is what I don't know.

Now the bill, as you may recall, Senator Symington, was passed by the Senate, but the House took no action on it, and it died on the House Calendar, the House committee. The Senate has not been, I'm sure, at fault in that respect.

Senator SYMINGTON. I was only asking for information.

The CHAIRMAN. I understand. I am glad to put this into the record, Senator. It has been so long, now.

Let's see. This bill was introduced in 1956, and it was passed by the Senate and it required 2 years:

The committee shall within two years after the enactment of this Act submit to the Secretary for immediate transmittal to the Congress a full and complete report of its study and operations, together with the recommendations for legislative and administrative action. The committee shall report and make specific recommendations for the adoption by the industry of humane methods of slaughtering, including the following.

Then we directed the studies to be made under this bill, and those studies were to be made by the Department of Agriculture. But as I said, the bill was considered by this committee. We held hearings on it. Senator Humphrey conducted hearings for quite a few days, and on July 23, 1956, the bill passed the Senate.

The Senate sent it to the House, and the House did not even consider it.

So that during the 84th Congress, this committee made an earnest effort to get the information that I believe is necessary before any action is taken. That is my considered judgment. I may be narrow about it, but that is my judgment.

As I said, the Senate acted with diligence as soon as the matter was brought before us. We held the hearings, it was passed by the Senate, sent to the House, and the House failed to act.

Senator SYMINGTON. Did it ever come to the floor of the House, Mr. Chairman?

The CHAIRMAN. I don't believe so. It never came out of committee.

As Mr. Mouser advises me, it was in July of 1956. That may be the reason why the matter didn't come before the House, but instead of pursuing the course that the Senate suggested, that is, to make a study of this to find out where we are, we don't want to hit in the dark. We now have this legislation passed by the House.

I am as much for humane slaughter as anybody in this room, but I want to know what I am doing. I don't want to declare that certain methods are declared to be humane unless we know they are. The only way we can do that is through study.

In my humble judgment, there is this conflict in section II between A and B, when we declare that slaughtering by certain methods is humane, and slaughtering by other methods is also humane. Apparently, there is a conflict there.

In other words, I have seen cattle slaughtered under religious supervision; that is, to be used by the Jews, that, to my way of thinking, was suffering. That was inhumane, in my humble judgment. I may be wrong about that, but I really and truly believe that the only way to get somewhere with this is to know what we are doing with this committee. That is why this committee went on record in 1956 to have studies made.

Are there any further questions?

Senator SYMINGTON. I was just thinking if we could get a bill which called for a relatively short study period, then we would have more information to act upon. I'm sure that Mr. Davis would agree with that; and that is what the Secretary says he would do. Is that correct?

The CHAIRMAN. We did that. That is what we wanted to do in 1956, and what I want to do now. I have never opposed that. However, you have so many people here who are so much interested in it and who desire to take a course different from what I believe should be taken.

I may be all wrong about it, but that's the way I feel.

You may proceed, Mr. Davis.

Senator SYMINGTON. Thank you, Mr. Chairman.

Mr. DAVIS. The only other part I wanted to bring out—

The CHAIRMAN. We didn't get through with that part, Mr. Davis. I want the record to be clear. I'm just wondering whether the person reading that record will understand it. I may be thickheaded about it. I don't know.

When you inject the serum into healthy pigs, what happens?

Mr. DAVIS. That is virus.

The CHAIRMAN. The virus, all right, is injected into healthy pigs, and you say after a certain period, if those pigs do not contract cholera, then blood is taken from them, and from that you make serum?

Mr. DAVIS. Not quite. We start with a healthy hog. That is a larger hog, that is definitely immune to cholera, and we know he is immune for he has previously been vaccinated.

Then we take this diseased virus blood and inject that into this animal. Then, after a 10-day period, sufficient antibodies have developed in the healthy animal, which are called—which we call antiserums.

Then we take those antiserums out through three interim bleedings.

The CHAIRMAN. From that injected hog?

Mr. DAVIS. That is right.

Then we finally kill this hog on the fourth bleeding through a throat injection, taking all of the blood at that point.

Now, this animal is a very healthy animal throughout all of this.

The CHAIRMAN. Through what methods do you extract the blood for the first three operations?

Mr. DAVIS. That is done by clipping off a small portion of the animal's tail. The blood is withdrawn in that manner. Then we cut his throat on the final bleeding.

The CHAIRMAN. I see.

Well, now, how do you prepare him before you stick him? What do you do to him?

Mr. DAVIS. Well, he is shackled and put on a rail, like those you have seen in packing plants, I am sure. Then in our particular plant, he goes to a turntable where he is completely scrubbed, his neck is shaven, and it is treated with an antiseptic. It is sterile and clean.

Then that animal is sacrificed by knife, and we collect the blood in that manner.

The CHAIRMAN. What suffering, if any, does he go through before he is stuck? Is it any different from what the practice is?

Mr. DAVIS. No. I would say it is the same practice that any packing plant has.

The CHAIRMAN. Is he suspended?

Mr. DAVIS. Yes, he is suspended by his hind legs.

The CHAIRMAN. That is done before he is stuck?

Mr. DAVIS. Yes.

The CHAIRMAN. Do you know of any other methods whereby the blood could be extracted without shackling them?

Mr. DAVIS. No, I don't, not for our purposes.

The CHAIRMAN. Not for your purposes?

Mr. DAVIS. No, because this animal must be completely sterilized and, also, I would say in the mass production of serum, we have to be moving this very rapidly in order to save all costs possible.

The CHAIRMAN. So that in your judgment, if this bill were to go through as provided here, you couldn't—you would be deprived of the blood necessary to make the serum?

Mr. DAVIS. That is right, and those costs would have to be passed on to the farmer, because that is the way serum is made, to protect the Nation's swine supply.

The CHAIRMAN. Now, you indicated that the cost of serum would be increased by 42 percent. How did you reach that figure?

Mr. DAVIS. I said that the amount of blood that we got out on the final bleeding is 42 percent of the total of all the bleedings. Now, undoubtedly, it wouldn't be all that amount. We are speaking here, and feel that we don't know the answer, in gas, or electric shock, or any of those things.

We don't know what they will do to the animal. Will that make him withhold blood in his system that we can't get out?

The CHAIRMAN. I see. So it is evident that unless some research is made, there would be no way of telling.

Mr. DAVIS. That is right; research made, or an exception in the bill.

The CHAIRMAN. Yes.

Well, now, I wonder if, before you leave Washington, you would contact our legal staff here, and explain to them what your problem is definitely, and I'll gladly pose or suggest your problem and probably an amendment to the pending measures so as to exclude you, if it is really necessary.

Mr. DAVIS. Fine.

The CHAIRMAN. In other words, I want this committee to consider every angle.

Mr. DAVIS. That is right, sir.

The CHAIRMAN. All right; thank you, sir.

Mr. Myers?

Mr. MYERS. Yes, Mr. Chairman.

The CHAIRMAN. Mr. Myers, I understand you testified before this committee?

Mr. MYERS. I did, Mr. Chairman.

The CHAIRMAN. I'm sorry I wasn't here. There was illness in my family, and I missed the first day.

Mr. MYERS. I so understood.

The CHAIRMAN. I'm sorry I didn't hear all of it. Have you anything to add to your testimony?

STATEMENT OF FRED MYERS, EXECUTIVE DIRECTOR, HUMANE SOCIETY OF THE UNITED STATES—Resumed

Mr. MYERS. Yes, I do, Mr. Chairman, and I'm going to impose on you a bit. But before I do so, I would like to say to you that numbers of people who have been in the room the last 3 days have expressed the feeling that I have, that we appreciate the manner in which you have so diligently sought facts here.

The CHAIRMAN. Well, I'm sorry that that feeling doesn't seem to be felt by all. I was very much disturbed, annoyed, when I got this communication signed by Mrs. Christine Stevens, secretary of the Society for Animal Protective Legislation.

You know, I have been chairman of this committee now for a long time, and I have been a member of this committee for 22 years, and I have never been accused of being unfair by any member of this committee or anybody, except in one instance when a member of the committee took me to task about a little colloquy I had with Ezra Taft Benson, and up to now, it hasn't occurred.

I always try to get the facts, and I don't try to be impressed by the number of people who write me and who talk to me, because I think I owe it to the country and to my colleagues to get all of the facts available so that a proper presentation of the issues involved can be made on any bill that comes before this committee.

Now, this Society for Animal Protective Legislation, 745 Fifth Avenue, New York 22, N. Y., issued a statement, or letter, dated April 25, 1958. I'll read it aloud:

The Subcommittee on Agricultural Research recommended to the full Committee on Agriculture and Forestry that they send the companion humane slaughter bills, S. 1497 and H. R. 8308 to the full Senate to be voted on. But

the full committee would not do this. They decided that hearings must be held again, for the third time.

I wish to say we didn't hear any hearings for the third time on any humane slaughter bill. This is the first hearing we have had on a humane slaughter bill such as we have before us.

They scheduled the hearings for April 28 through May 1, and the hearings have been so arranged as to give every advantage to the opponents.

Now, that isn't true.

This is how they are set up:

April 28—Supporters of S. 1497 and H. R. 8308; April 29—Opponents of S. 1497 and H. R. 8308; April 30—Government agencies (all are opposed); May 1—Farm organizations (many are opposed, especially because of the current work of the meatpackers lobby which is described later).

Now, that is the kind of claptrap we get here, and I call it claptrap. I want that put in the record.

And, as of April 22, the clerk of the committee was stating that there would be no opportunity for rebuttal by those who support the bill.

Now, that isn't true. The day, today, was fixed for that, and tomorrow will be fixed for further rebuttal, if people want to be heard.

This in spite of the fact that it is the opponents who asked for the hearings, and who are trying to make out some kind of a new case against the legislation. It is hard to imagine a more unfair approach.

Meantime, the representatives of numerous livestock groups from all over the country are in Washington because of their interest in a totally different piece of legislation. Aled P. Davies, the chief lobbyist for the American Meat Institute, representing all of the biggest meatpackers, is using every sort of persuasion to get each of them to come and testify against the humane slaughter bill.

I wouldn't know Mr. Davies if I saw him; he never spoke to me.

Mr. Davies is the most active of any single individual who is trying to prevent effective humane slaughter legislation from passing, and his influence is great with Secretary of Agriculture Ezra Taft Benson,

I'm glad someone has influence with Secretary Benson—

whose opposition to the legislation has been so big an obstacle. He even writes important statements for Secretary Benson as demonstrated by a news story by William McGaffin (Chicago Daily News Service, February 23, 1958) which stated in part: 'A registered lobbyist for the American Meat Institute is an adviser to the United States Secretary of Agriculture * * * the lobbyist's name is Aled P. Davies * * * Davies advised the Secretary on a good deal of wording in the statement, said MacMillan. Benson's aid said Davies is one of several advisers the Secretary calls on from time to time. 'Don't you think the advice of a lobbyist might be prejudiced?' MacMillan was asked, 'Maybe it could be,' he replied. Then MacMillan said Benson called upon Davies' in his capacity as a specialist.' He said Benson and Davies had been friends for years, that Davies went to England on a mission for the Agriculture Department at one time, and at another time worked for the Department as a consultant. In reply to a question, MacMillan said the lobbyist still retained his job with the American Meat Institute while he was working for the Agriculture Department.

This is how the score reads on humane slaughter legislation:

Power possessed by the opposition:

1. The entrenched position of the meatpackers' lobby.
2. Secretary of Agriculture Ezra Taft Benson and the Government agencies;
3. The Farm Bureau and other groups which follow the Secretary's lead;
4. The huge financial resources of the packers.

Power possessed by supporters of humane slaughter legislation;

1. The press. Most of this country's leading newspapers support humane slaughter legislation. Not even one paper of the first rank is opposed.

2. The public. More mail has been received in Washington favoring passage of this legislation than on any other subject.

That I admit. I have been in Congress for 22 years, and never have I received so much pressure mail on humane slaughter as I have received in the last 3 months. Every Senator has stated the same thing to me.

3. The right. Unnecessary cruelty cannot be condoned.

I agree to that.

Mr. MYERS. I know you do.

The CHAIRMAN. Of course I do. The only thing I don't want to go off half-cocked. I owe a lot to the people of this Nation.

Humane slaughter methods are sound, practical, available. They should be used.

I agree with that, but I haven't found what they are. That is what we are trying to do. This committee went on record for that. But the House has sent different legislation to us now.

On May 9 the first regular meeting of the Senate Committee on Agriculture and Forestry following the hearings is scheduled to take place. At that time, we have been told, the members will decide on which side to cast their vote.

I don't know where that information leaked out. We haven't planned any specific date yet.

If the committee defeats S. 1497 and H. R. 8308 or amends them into ineffectiveness, the Senate as a whole will be deprived of the right to make up their minds on this matter—an important one for our Nation's moral stature. As you know, the House of Representatives has already overwhelmingly passed the measure.

We have asked you to write often before, and your letters have played an incalculably great part in bringing this legislation to the verge of success. We urge you now either to write or wire again to each member of the committee or to speak to other people who have not yet expressed their views to the committee and make sure they write or wire in time for the Senators to receive the message before May 9. Be sure to emphasize that a study bill will not protect animals and will not be acceptable to any humanitarian.

This is the most critical moment the legislation has yet faced. Please do all you can to help it get past the Senate committee without any weakening amendments.

Sincerely,

MADELEINE BEMELANS, *President.*
CHRISTINE STEVENS, *Secretary.*

P. S. If you haven't yet written to your own Senators, now is the time to do it. We would be grateful if you would send us any favorable replies you receive. If you wish to suggest the names of persons who would be interested in receiving humane slaughter literature, please send us their names and we will mail the material promptly.

Then follows a list of Senators.

Now, I concede the right of persons who wrote that document. They can use all the pressure they desire, and all I have to say is that I, as chairman of this committee, and having been a member of it for 22 years, have always been fair to anybody that appeared before me, as far as I know, that I tried to elicit the facts, and in order to be able to properly present this case before the Senate, we have to have it on facts, and we can't base a decision on emotions.

Mr. MYERS. You are very right.

The CHAIRMAN. All right.

Mr. MYERS. What I wanted to say, when I made the perhaps unfortunate remark, was that it has been obvious during this hearing that you are seeking facts. I think every American will agree that

for a Senator to seek to get the facts before acting is admirable. That was just a prelude to a remark that I had intended, that I have the feeling that the chairman, and the chairman in fact has, I believe, in fact, explicitly stated that more study may be more beneficial. Study is always beneficial.

The CHAIRMAN. The unfortunate thing, as the record shows now, is that there has been no study made by the Department of Agriculture. Why? I believe that under the laws that we now have, they could have initiated these studies.

Mr. MYERS. That is true.

The CHAIRMAN. I don't think there is any doubt about it. Of course, they say to us, "Well, now, you haven't supplied the funds." But I do believe that the fact that these hearings have been held over the last—that is, the hearings on the study proposal, 2 years ago—have been of great value, and I am confident that hearings we are having now will be of great help. There is no doubt about that in my humble judgment.

Mr. MYERS. Undoubtedly they will.

The CHAIRMAN. My hope is that we can obtain more facts. I hope we can obtain the facts before Congress recesses, because I'm not here to sit on this bill. I want the Congress to pass on it, but I'm not going to submit it unless we have facts as far as I am personally concerned.

We may have some Senators here who want to do that, but I'm not one who will do it.

Mr. MYERS. I don't doubt that at all.

The CHAIRMAN. You may proceed, sir.

Mr. MYERS. Senator Ellender, what I hope to be able to do in the next few minutes is to give you some of the facts you seek in a perfectly cold, unemotional way, and particularly to address myself to the thought that the fact that the Department of Agriculture has been admittedly remiss (the Assistant Secretary sat here before you yesterday and said that they were remiss) does not mean that study has not been done and that facts and not known and available.

In the last 2 days, we have heard some very interesting objections to enactment of this pending legislation. Whether by intent of the witnesses or not, we have heard some important testimony in support of these bills from those same witnesses. You heard the spokesmen for the Packers admit unequivocally that they have been remiss, that they were uninterested in this problem until we—until they were threatened with legislation.

You heard the Department of Agriculture spokesman say the same thing.

The CHAIRMAN. I think I elicited that from them.

Mr. MYERS. Well, you did, and that is a fact that is perhaps as important as other facts that have come out here.

Well, these confessions are undoubtedly good for someone's soul, but the packers and the Department of Agriculture, having confessed error, nevertheless persist in asking the Congress to permit them without true repentance to continue in the same error.

Much study has been done; a vast amount of study has been done on a scientific basis dealing with the problem that we bring before you. Mr. Davis of St. Joseph, Mo., which, incidentally, is my own home State, was here just a few minutes ago.

He said that his fear was that perhaps, if hogs were stunned by one of the methods that have been discussed here, he might not be able to get as much blood from a slaughtered hog. That is not necessarily the case. The fact that Mr. Davis is ignorant of the fact, and that the Department of Agriculture says that it is ignorant of the fact, does not alter the fact that there has been study of this.

I call your attention to page 126 of the transcript of the hearings held by your subcommittee in 1956, in which it is reported on the authority of the engineering director of Hormel and Co. that they get a greater blood recovery when the hogs are preliminarily anesthetized than they do with the shackle. They have analyzed that and have discovered that it is because there is capillary relaxation which permits more blood to come out of the carcass. This results in a better quality carcass, and from the standpoint of Mr. Davis, it is already on the record and proved.

The CHAIRMAN. Have you any analysis of the blood to determine whether or not it would affect the blood in the use of serum?

Mr. MYERS. Yes, sir.

The CHAIRMAN. Where is that?

Mr. MYERS. If you will permit me to develop this, I'll get to that.

The CHAIRMAN. I will.

Before you go further, I wonder if we could get hold of some people who made this analysis. I think it might be important to do that.

Mr. MYERS. I have no doubt that it can be done, but I'll cite you bibliography to make it easy for you to see absolutely scientific reports of this.

Senator, to make it easier for you, I would like to stick to a fairly orderly development of rebuttals, so that things don't become random. I'll be glad to submit to all kinds of examination.

The principal objections to this legislation, if I have correctly understood the testimony offered by the opponents in the last 2 days, or previous hearings, are 4 main points.

The first is that it is alleged by some packers, but not all packers, that they might find it financially difficult to use humane methods of slaughter on hogs, but not on other species of animals.

The second major objection has been an expression of doubt as to whether there are any practical means of killing livestock that are more humane than the methods now most commonly used.

It is contended, third, that the bill as drafted allows no leeway for the fallibility of mechanisms and human beings.

It is contended, fourth, that the Department of Defense and the Department of Agriculture might find some inhibition, in the action of this bill, in the purchases of meat and meat products.

Those are the four principal points that have been raised in objection. On the strength of those four points, you are urged to defeat this legislation without reference to the cruelty involved, or other factors that interest us all.

Now, Senator, we expected in advance that this week we would hear some of these arguments about the costliness of being humane, because they were presented in almost identical language 2 years ago to your committee, and last year to the House committee, and elsewhere. Accordingly, in testimony that I offered on the first day of this hearing, my society presented to the committee a rather ex-

tensive analysis of the economic factors involved, and particularly as they might affect small packers, or livestock producers or meat consumers.

Senator Humphrey entered into the record of this hearing another memorandum on this subject that my society prepared some time ago. I will not repeat now what has already been entered in the record.

The point that the committee will note, I hope, is that all of these old arguments about the cost of being humane have been completely belied by the fact—and it is a cold, hard, dominating fact—that 200 packers in the United States right now are using the humane methods of slaughtering one or another species of livestock in some plants, all species in some plants, and they all certify, every last packer certifies, that these methods are economical, practical, feasible, and he likes them. It just is not possible rationally for anyone in the face of that situation to argue that these methods are impractical, unreasonable, or uneconomical.

It is notable that not one single witness from any quarter in the last 2 days has raised any question whatever about the economic and mechanical feasibility of the humane slaughter of cattle, calves, sheep, or lambs. No packer has contended that the equipment for humane slaughter of these species would burden his capital structure, and no packer has contended that the use of these methods on these species would increase his operating costs.

The American Meat Institute is still trying to persuade cattle growers to pull AMI chestnuts out of the fire by telling them that, in some way not specified, the use of humane methods would increase operating costs, and therefore result in a lower price laid to livestock producers.

But you know—I hope you will note, Senator—that before this committee neither the American Meat Institute nor any packer has made that contention. This is something they tell to the grange in Oklahoma, or they tell to a local Farm Bureau out in Maryland, but this is not something that they come into this committee room and argue. It won't hold water.

Mr. Eshbaugh, the spokesman for the American Meat Institute in these proceedings, has told you that the humane techniques available for use on cattle give "quite satisfactory results" and can be used on cattle in most plants without any change in equipment or handling of animals.

The CHAIRMAN. You mean the single-blow method?

Mr. MYERS. Right. He has also told you that the Remington stunner, in effect a kind of captive-bolt pistol, is in regular use on hogs and lambs in one plant and is being used on large calves in other plants.

The captive-bolt pistols are used and have long been used on these species of animals in still other plants.

The argument that some plants might find it financially difficult to slaughter hogs humanely is based on the primary assumption that the only humane method of killing hogs is with the use of carbon dioxide. And that argument is bolstered, or confused, I should say, by a lot of free-wheeling double-talk about the cost of carbon dioxide, so that it sounds, after vague discussion, as though carbon dioxide equipment would be absolutely ruinous. We have completely, with

documentation, pointed out to committees of Congress that this is totally fallacious.

The Allbright-Nell Co., of Chicago, which is one of the largest manufacturers and distributors of packing plant equipment in the United States and, indeed, in the world, and which is the American licensee under Hormel patents of carbon dioxide techniques, is now offering to packers carbon dioxide equipment that will process hogs at the rate of 60 an hour at a price of \$3,500. It is offering equipment in ranges that will be adaptable to the need of any kind of plant.

The CHAIRMAN. What was that minimum?

Mr. MYERS. \$3,500 for equipment that will process 60 hogs per hour.

The CHAIRMAN. Is that the smallest?

Mr. MYERS. That is the smallest unit that they make available.

They offer it in all ranges, and at a medium-sized range, they offer a unit that will process between 150, 175, or up to 300 hogs an hour at a price of \$23,700.

I would like to ask you, Senator, to bear with me for just a moment of arithmetic. If a medium-sized plant buys one of the units that costs \$23,700, the installation might cost something additional, but a unit of that size can be put in virtually all plants into building space which is now occupied by the ramps, pens, chutes, and other impedimenta that go into bringing an animal up to the wheel.

Now, if a packer of the medium-size buys one of those units, suppose he operates it at two-thirds of its capacity. He doesn't always run the absolute maximum. In that case, the immobilizer would be handling about 250,000 hogs a year. That may sound like a lot of hogs. It is a lot of hogs, but that is still a small- to medium-size packer. One single Hormel plant handles ten times that number.

If we hypothesize that the total value of the carbon dioxide installation will be depreciated on the packer's books over a period of 20 years, that the packer pays 5 percent for the capital invested, and that he may have a cost of \$2,000 a year for operation and maintenance of the immobilizer, we come out with an annual cost of about \$6,250 for the humane processing of 250,000 hogs, a quarter of a million hogs.

But the cost wouldn't actually be that high, either, Senator, because you gentlemen of Congress have provided—I was going to say wisely, but I won't go into politics—that industries investing capital in plant improvements may take certain tax deductions that are very beneficial.

The total net cost of processing hogs through the immobilizer at the rate I have been describing would turn out, net, to be less than three cents per hog. That, of course, wouldn't be added cost. That isn't going to cost him three cents more. That is in place of other costs. You will find much documentation in the record from packers and authorities to show that the immobilizer causes decreased costs, not increased costs.

The CHAIRMAN. You mean decreased costs because of the saving on the carcass?

Mr. MYERS. It saves on the carcass, it saves on labor, it saves on other equipment.

Now, in this little bit of arithmetic, I purposely avoided talking about the \$3,500 unit. I didn't want to imitate those of the opposi-

tion who have gone to the extremes of cost and talked only about how much it cost Hormel to put in equipment, the first experimental equipment, to handle 10,000 hogs a day.

The example I have given you is realistic. In that order of magnitude is the cost to a medium-sized packer for using this kind of method. The point I want to emphasize, and I'm sure you want to emphasize it, is that if you vote finally for enactment of S. 1497 and H. R. 8308, you will not in the slightest degree be endangering the financial structure or financial well-being of any small-business man.

Senator, while we are talking about costs—

The CHAIRMAN. I want to be perfectly frank with you in saying that that is not what disturbs me at all, the cost.

Mr. MYERS. You want to know whether it works.

The CHAIRMAN. That is the point.

Mr. MYERS. I'll get to it.

The CHAIRMAN. Here is something else. I don't want to anticipate you, but I wish you would cover this also. There are no penalties attached to this bill. We have over 3,000 slaughtering houses in the country, and only 223 of those three-thousand-some-odd sell to the Government, so you get from under the bill about 90 percent of the slaughtering houses; 90 percent of the slaughtering houses from under the bill.

Now, if we can establish methods that are deemed humane, I would like to get them all under the wire, and not just a few. But under this bill, as I read it, you will have in excess of 2,700 slaughtering establishments that you can't reach because they don't sell to the Government.

Mr. MYERS. Senator, your point is interesting and is one which troubled me when this version of legislation was first advanced, and I certainly will touch on it.

Before we leave this question of cost, Senator, I would like to touch it from just one other angle.

Yesterday afternoon, after hearing the testimony given to you by the packers and the Department of Agriculture spokesmen, one of the women in my office went to a local Safeway to do some cost research of her own. It is the kind of cost research that a woman does when she buys groceries. In that Safeway store she came up against this interesting economic fact. On the meat counter was one of the excellent canned hams that Hormel produces humanely. The price of that ham was 99 cents per pound. Right beside it was the canned ham of another packer, a large packer, one that uses the old, conventional methods that breaks the animal's leg and so on.

That ham was priced at \$1.05 per pound.

Congressman Dorn had some moderately sarcastic things to say here yesterday about the "organized ladies," as he called them, of America, who want this humane slaughter legislation enacted.

If Congressman Dorn were here, I would like to ask him whether he would care to express the same attitude toward the women, whether organized or unorganized, who want their meat to cost 6 cents a pound less than it does. The fact that Hormel's ham costs 6 cents a pound less than the other company's ham is directly related, Senator, to the fact that Hormel is using a better method. That has been the Hormel attitude toward this problem for years.

Senator, I'm not going to get into an argument at this point about the feasibility of electric stunning. Because of certain technical points that the Department of Agriculture long ago raised, at this point electrical stunning is not acceptable in the United States.

The CHAIRMAN. How about abroad? We had evidence to the effect that Denmark used it, and now has suspended with it. Is that true?

Mr. MYERS. They suspended it for about 6 months while they reappraised their methods, and it is now again in operation.

The CHAIRMAN. Do you know of any countries where it has been tried and then abandoned?

Mr. MYERS. None, sir. It is in daily and mandatory use in Great Britain, which, while I am no Anglophile, I still admit is a country enlightened as our is. It is in daily and mandatory use in several Scandinavian countries, and I know of no country, and I believe there is no country, in which it has been totally abandoned.

The CHAIRMAN. Do you have any statistical evidence to illustrate the effect of the electrical shock to the product, and particularly in respect to the lesions that may be made and the difficulty that may arise therefrom to our inspectors?

Mr. MYERS. Yes, sir; I have. With all respect to what I always still think of as the Bureau of Meat Inspection, but it is now the Meat Inspection Division, and to its personnel, I believe that they have not been diligent in the last 30 years in attempting—I believe they haven't even paid any attention to the problem in the last 30 years—in attempting to solve the problem which they stated at that time, so long ago.

My society, Senator, at considerable cost to itself, brought to the United States from Great Britain for the benefit of the House committee the chief veterinary inspector of the largest bacon factory in Great Britain, so that the House might have direct, firsthand, expert testimony about the effects of the electric stunner.

His testimony is recorded in the House's record.

I have seen the method in operation myself. With all respect, as I repeat, for the personnel of the Meat Inspection Division, I do not believe that this problem is a real one.

Senator, only 3 or 4 weeks ago, I journeyed up to Rutgers University to talk to a professor who is conducting experiments in electric stunning at the request of one of the smaller associations of packers, because they, too, don't believe that this problem is insuperable.

He has successfully stunned several thousand hogs in Newark, N. J., with techniques that he has developed, and with the cooperation of the inspectors of the Meat Inspection Division, they did a very interesting thing. They put an indelible stamp on the carcass with a code indication, unknown to the meat inspectors, that would indicate which carcasses had been electrically stunned, and which had not. They ran them at random intervals through the line.

The meat inspectors were asked to determine, if they could, which were electrically stunned and which were not. A statistical study over several thousand hogs demonstrates conclusively that the inspectors cannot tell which is an electrically stunned hog and which is not electrically stunned. To my mind, that makes a pretty simple piece of logic possible. If they can't tell the difference, then there is nothing wrong with the electrical stunning.

The CHAIRMAN. Where was that demonstration held, did you say?

Mr. MYERS. In Newark, N. J., at the plant of Englehorn, I think, is the name of it, packing plant. It is a modern and efficient and progressive plant. I believe that this problem is on its way to being solved. I said I didn't wish to argue it before you, because at this moment—

The CHAIRMAN. They are still working on it?

Mr. MYERS. Yes, sir.

The CHAIRMAN. Yet with all of that, you consider it here to be found humane?

Mr. MYERS. It is humane.

The CHAIRMAN. I mean as to the effect on the carcasses, because that would be important, don't you think so?

Mr. MYERS. It is very important.

Senator Ellender, I would like to note in passing, again on the economic point, that if ever electric stunning is accepted by the Meat Inspection Division, the economics of it have already been settled. I would like to quote to you from an address delivered by Mr. Aled P. Davies, the much publicized and much mentioned Washington lobbyist for the American Meat Institute, which address was delivered to the Midwest Humane Conference in Chicago, Ill., on May 13, 1955. Mr. Davies reported to the humane societies at that time:

Swift & Co. experimented with several different forms and types of pens for restraining hogs to permit effective electrical stunning. Many of these were only satisfactory for a slow rate of operation. However, in 1935, a moving conveyor type was developed for use in plants with the typical high rate of operation in American slaughtering practices. This was installed in one Chicago plant, and a satisfactory hourly rate was achieved.

At that point, Swift was economically willing to go ahead with it, but the Meat Inspection Division intervened. The only impediment—

The CHAIRMAN. Just a minute. They intervened, you said. Why?

Mr. MYERS. The Meat Inspection Division finds that in the lungs of hogs that have been electrically stunned with certain currents and certain voltages, there are found post mortem what are known as petechial lesions, meaning pin point—they are very small—lesions which confused the inspectors of the Meat Inspection Division so they said, because similar lesions are one of the symptoms of hog cholera, in the attempt to eliminate cholera-infected carcasses from the product line. The inspectors found, they said, that they were unable to distinguish between the electrically induced lesions and those which were the symptoms of the early stages of hog cholera.

The reason our society brought the expert from England to testify is that we didn't ask the Congress to accept my statement. I am not a veterinarian nor a pathologist. We brought a veterinarian and a pathologist and a practical expert, with packinghouse experience, to say that in the whole of Great Britain, the whole veterinary profession finds no such difficulty as that which is professed here.

The CHAIRMAN. But they don't have the meat inspection in Great Britain that we have here, Mr. Myers, by any means. It is not enforced as it is here.

Mr. MYERS. Senator, I would not be competent to argue that.

The CHAIRMAN. Well, I'm certain of that.

Mr. MYERS. When it comes to diagnosis—

The CHAIRMAN. But let me say this to you: I am surprised that the Department knew of this experiment going on and didn't pursue it further. Now, when did that take place, do you know?

Mr. MYERS. This has been going on for approximately the last half year.

The CHAIRMAN. You mean this——

Mr. MYERS. Yes, in the last months.

The CHAIRMAN. In what packinghouse in Chicago?

Mr. MYERS. Oh, you mean the electric stunning?

The CHAIRMAN. Yes.

Mr. MYERS. No, that was——

The CHAIRMAN. I'm talking about this experiment. You said they stopped at Swift & Co.

Mr. MYERS. That, sir, was in 1935.

The CHAIRMAN. I want to contact the Department and get that information, at least for the use of the committee if not for the record of these hearings.

Mr. MYERS. I believe Dr. Miller is here, and he can speak on it later.

The CHAIRMAN. You know, this is what we face. We try to get laws made, and we are hampered.

Mr. MYERS. You had been told that no such study had been made.

The CHAIRMAN. That is right, and I was trying to elicit from the Department of Agriculture whether any experiments had been carried on, and I was informed, "No"; so I want to pursue that further.

Mr. MYERS. You were told over and over in the last 2 days that much study is needed, the implication being that no study has been done. What I want to keep bringing out to you is that many studies have been done. These facts are known.

Senator, I want to move completely away from economics to that second point, the question of whether the Secretary of Agriculture, if he is given the responsibilities contemplated by this pending act, can determine what is meant by the word "humane," and, in fact, what is humane.

Senator Ellender, in my feeling, this part of the debate would be really funny if it weren't dealing with something that is tragic. The organized humane societies of the United States and the whole world, for approximately a half century, have been urging the slaughter houses to adopt humane methods. The humane societies have, for many years, studied every known method. There have been thousands of pages of discussion printed and published. There have been numberless national and international conferences held. There have been parliamentary inquiries abroad and congressional hearings here. There have been joint committees of packers and humane societies. Scientists financed by humane societies have used the most advanced techniques of the electrocardiograph, the electroencephalograph, and other scientific means to test animals for pain, when pain exists, and when unconsciousness occurs. These things have been published.

During that whole long period, the American meat packers and the American Department of Agriculture have stood aloof. They felt, as Assistant Secretary Peterson told you yesterday, that they have no responsibility in this field. But now, with the threat of corrective legislation hanging over them, suddenly, both the packers and the Department of Agriculture come to this committee and they begin to

worry about whether the humane societies aren't proposing something that might cause pain to animals or something that, as Secretary Peterson put it yesterday, might even frighten animals. Don't you agree that this sudden tender concern for animals would be funny if it were not funny?

The CHAIRMAN. Well, now, in that regard, Mr. Myers, what study has been made as to the effect on animals that was printed? You have made the point, and that is why I asked the question. Has any study been made as to the effect on the animal itself?

For instance, you put 5 or 6 or 7 animals in 1 lot and take a shot at 1. What effect has that on the others? Has that been studied?

Mr. MYERS. Yes, sir. For example, we laymen can get over our heads when we get into the extreme technicalities of pathology and physiology, but you know as I do that the reaction of any alarmed or stressed, as the scientists say, animal, you or me or a pig, is to pump adrenalin at a great rate into the blood. There are many complex hormonal reactions; the blood pressure mounts.

The CHAIRMAN. And some die of heart disease, too. You have heard of that.

Mr. MYERS. One of the physiological results you have already had in testimony before you, Hormel found that because they don't frighten the hog and keep him in a state of stress for long periods before his throat is cut, he bleeds better. The reason is, he is relaxed. The whole internal structure of the body is different. The chemistry is different.

The CHAIRMAN. Would the same thing apply to the cattle that are not immobilized in the same manner as hogs, and where they are shot at in the presence of others?

Mr. MYERS. I call your attention to page 166 again of the transcript of the hearings in May 1956, on S. 1636. E. Y. Lingle, of the Seitz Packing Co., to which Congressman Poage earlier referred, was quoted there.

Mr. Lingle, speaking to a group of packers—this was not for an impression on you or the Congress—he was speaking merely to packers—reported to packers that as a result of the use of the captive-bolt pistol and the lights described by Congressman Poage, which reduced nervousness and thrashing around—

we have slaughtered over 5,000 cattle with the lights and with the pistol, and we have had only an occasional stiff cattle. Before we had the lights, and when we used the hammer, we had stiff cattle every day. These stiff cattle are the ones that do not bleed properly, and are very difficult for the butcher to skin, because the hide is tight. It is quite apparent now that generally, we are doing a better job of bleeding our cattle. The Government inspector has remarked that there is less coagulated blood in the heart, and the men on the floor have shown me that there is less blood in the chest cavity when the cattle are eviscerated. Careful investigation has proven these facts to be true.

This is a packer speaking intramurally among packers. They know these things, but it costs a little money, they think. They don't need study, Senator. Study has been done. What they need is persuasion with some force behind it.

The CHAIRMAN. That is why I suggest, if your methods are the right ones, that you ought to have penalties and put everybody under the wire and not just 223 possible out of over 3,000. You get the idea?

Mr. MYERS. Yes, sure I do. As I told you, I was troubled by that, but I think I know why this legislation is in that respect——

The CHAIRMAN. I know, too, because you wouldn't have had it pass the House. You would never have had it pass through the House if you had taken in the smaller packer.

Mr. MYERS. That may be.

The CHAIRMAN. That is right.

Mr. MYERS. But there is a positive reason, too.

Senator, the Department of Agriculture has said to you, in the words of Secretary Peterson and in written letters to you, that it doesn't know whether carbon dioxide is a humane anesthetic. They want to study that. Let's get concrete. They want to study whether carbon dioxide is humane.

That statement, too, would be funny if it weren't that it is made by one of the major departments of this Government for the purpose of defeating an otherwise desirable piece of legislation.

The CHAIRMAN. I didn't take any stock in that testimony, I can assure you.

Mr. MYERS. It is pretty hard for me to convince myself that Dr. Clarkson, the research head of the Agricultural Research Division, is serious—I won't say sincere—when he tells this committee that he wants this whole legislation defeated so that he can study.

He doesn't suggest any alternative. He just wants it defeated so that he can have an indefinitely long period of time in which to study the nature and effects of carbon dioxide when used as an anesthetic.

I recall when he testified before the House committee on April 12, 1957, when he said:

As far as one can observe the animal leaving and entering the device, it appears acceptable.

He was discussing at that time whether it was humane.

You have had testimony before your subcommittee previously by a member of my own board of directors, Dr. Myra Babcock, who was here on Monday. Dr. Myra Babcock was for many years the staff anesthesiologist of one of the largest hospitals in Michigan. She is a specialist in this field, and she told your subcommittee that she has personally used carbon dioxide as an anesthetic on human beings in hundreds of cases, and she said that she found that no patients showed any excitement or reported any unpleasant sensations on recovery.

She also said that it was easy to complete the anesthesia with ether, that the patient never was conscious of the changeover to the rather unpleasant and irritating action of ether.

That is the reason for using carbon dioxide in most cases. No one has yet thought of ether as being an instrument of torture. It is just because it is more pleasant that they initiate the anesthetization with carbon dioxide and then complete it with ether.

I know you don't have time to go into a exhaustive study of the chemistry and pathology of carbon dioxide. Because Dr. Clarkson and other Department of Agriculture experts have not done so, however, I want to call to your attention the fact that there is an immense volume of scientific literature on the subject, most of it available in the National Library of Medicine, which is about three blocks from Dr. Clarkson's office.

Hundreds of medical doctors, and many thousands of their patients, have had experience with carbon dioxide anesthetization, and there is a unanimous body of certification that it is humane. If any Senators want to do personal research on this subject, I call their attention to a book entitled, "Carbon-dioxide Therapy," written by L. J. Meduna, a medical doctor and a professor of psychiatry at the University of Illinois, published in 1951, and to a report in the scientific periodical "Anesthesiology and Analgesia," vol. 8, p. 17, 1929, written by C. D. Leake and R. M. Waters, on "Effects of Carbon Dioxide as an Anesthetic."

I find it most amazing that Dr. Clarkson and his whole technical staff seem never to have learned that these studies have been done. It seems to me ludicrous that such could be so.

The CHAIRMAN. That is on human beings?

Mr. MYERS. Yes, but with all respect to a hog, I don't imagine that a hog's olfactory system is more sensitive to such things than yours or mine.

The CHAIRMAN. I don't know. I think it takes a bigger blow to kill a larger animal.

Mr. MYERS. I wasn't thinking of a blow on the olfactory system.

But, Senator, the question that Dr. Clarkson is implying is that carbon dioxide anesthetizes by suffocation, asphyxiation, or some other unnamed process, which would be uncomfortable. The physiology is identical in the human being and in the animal.

The CHAIRMAN. I was impressed with what Congressman Poage said this morning, that after the hogs remain in the chamber for 20 or 30 second, I think he said, they were brought out on a belt, where they were straightened out and stuck, and they never moved. I imagine that they were sufficiently stunned.

Mr. MYERS. That is right.

Senator, I have visited a plant in which carbon dioxide is used. I spent a whole day there, the Kingan plant in Indianapolis. It is identical with the installation—

The CHAIRMAN. Did you see any reaction of any of these hogs different from others?

Mr. MYERS. Senator Ellender, my purpose in going there was specifically to determine to the best of my ability whether it was humane. I am not interested in their efficiency. As a humane society officer, I just wanted to learn whether it is humane. I stood within 6 inches of the sticker; I squatted down on my haunches so that I would be down at the level of the knife. I watched hundreds of hogs stuck from that, you might call it, vantage point. There was not one single reflex of any kind whatsoever.

You are probably familiar with the fact that medical scientists feel that the corneal reflex is one of the surest indicators of consciousness or unconsciousness. I, myself, as hogs came out of that tunnel, repeatedly touched them on the cornea. There was no reflex whatsoever, not even the twitch of an eyelash. I saw no hog recover or respond to pain stimuli in the slightest degree.

It passes belief that the head of a research service of a major department of the Government would come in here and tell you that he just has no way of knowing until he does research at the taxpayers' expense as to whether this is humane or not. He asks you to question

whether the whole medical profession knows what it is talking about, and give him some money to go find out for you.

I wouldn't discuss that at such length, but it is the Department of Agriculture, which presumably has great influence and prestige, which makes the debate.

The essence of this whole thing, Senator, is that Mr. Eshbaugh told you 2 days ago that Swift & Co. has purchased 110 Remington stunner cartridges for each 100 head of cattle stunned with that instrument, and he told you there would have to be an allowance made for lost cartridges or misfired cartridges or unaccounted-for cartridges. That indicates the Remington stunner in the first months of use by one of the biggest companies in the world, with all the organization and training problems involved, has proved to be a vast improvement from a humane standpoint over older methods. From other packers, I have learned that the Remington stunner and other stunners, and the captive-bolt pistols, are effective with less than one mishap per hundred animals processed.

The CHAIRMAN. How long have they been in use?

Mr. MYERS. Captive-bolt pistols have been in use for 25 years, by a handful of packers, with no other packers interested.

The CHAIRMAN. I know from the testimony that the instruments, the stunners, are apparently a new device. But it was still in the study stage. I believe that applied to the single-blow——

Mr. MYERS. It is the mushroom head that really was the new device. Except for the mushroom head, it is essentially an adaptation of the captive-bolt pistol.

The CHAIRMAN. But you say what I had in mind refers to the mushroom type?

Mr. MYERS. Yes, and the mushroom type now is long past the experimental stage. It is in use.

Senator, we expected that——

The CHAIRMAN. Now, have you found that this instrument can be used as effectively on sheep as it can on cattle?

Mr. MYERS. Yes, sir; it can be.

The CHAIRMAN. But not on hogs?

Mr. MYERS. As effectively, no. I wouldn't say as effectively yet. But I will say that Congressman Poage was right. He was right from a technical standpoint when he said earlier this morning that it was absolutely as effective on hogs as on cattle, if you take the time.

The CHAIRMAN. To hit in the right place.

Mr. MYERS. The difficulty has been with hogs, really. It isn't really that they cannot be stunned with this instrument. They can be stunned thoroughly with the instrument. The difference has been that if you are processing 10,000 hogs a day and they come through up a ramp and they are all squealing, to get to the head of a hog is considerably more difficult than to confine and get to the head of a steer.

By the way, Senator, before I totally leave carbon dioxide—the Department of Agriculture, which says it doesn't know anything about carbon dioxide, in view of that fact very remarkably recommends carbon dioxide immobilization of turkeys before slaughter. I call the attention of the committee to Circular No. 958 of the United State Department of Agriculture, published February 1955, entitled,

"Carbon Dioxide Immobilization of Turkeys Before Slaughter." The Department finds that carbon dioxide is perfectly acceptable for the use on turkeys, and doesn't harm the meat and has no deleterious effects of any kind. I find it remarkable that they know so much that they publish a pamphlet and recommend it for immobilization of turkeys, but don't know anything at all about it in respect to this other application.

Incidentally, one of the largest processors of poultry, Swanson Co., a subsidiary of Campbell Soup, are using that method on poultry. Secretary Peterson yesterday displayed ignorance of that fact.

We expected that some opponents of the proposed legislation would make a mountainous difficulty out of the obvious and forever inevitable fact that no machinery and no man are ever going to be infallible. I suppose that is what Mr. Eshbaugh had in mind, and certainly what others had in mind, when they kept raising the bogey that the Secretary of Agriculture couldn't effectively administer this proposed act, because there would ultimately be a failure on some animal or other, and then you would have to decertify the processes.

Well, I think—to use Senator Humphrey's phrase—I believe that is reaching down into the barrel, but since the objection was raised, and so that there be no misunderstanding, I would like to suggest to the committee an amendment of section 2 (a) of the pending S. 1497 to read as follows, so that there can be no question about this isolated mishap invalidating everything:

(a) In the case of cattle, calves, horses, mules, sheep, swine, and other livestock, any method by which animals are normally rendered insensible to pain by a single gunshot or a mechanical, electrical, or chemical means that is rapid and effective, before being shackled, hoisted, thrown, cast, or cut—

Then it continues, "or."

The CHAIRMAN. You struck out "other means."

Mr. MYERS. "Other means" is all right. That should be left in. The only change there really is—

The CHAIRMAN. You didn't read "other means."

Mr. MYERS. That should be in. "Chemical or other means."

The only change there really is that instead of saying every animal, all animals, must be rendered insensible by a single blow, it says the packer must use a method by which animals are normally rendered insensible by one blow. That would eliminate Philadelphia lawyers from further discussion of that aspect of the bill.

I now move to the last objections to S. 1497 offered by the opposition.

The contention by the Department of Defense and the Department of Agriculture that the proposed law might operate to limit their sources of meat and meat products is difficult to counter, because the objection has been raised, Senator, in such vague and "iffy" terms that one has only a shadow to box with. Neither the Department of Defense nor the Department of Agriculture, nor any other Government department, seems to know either the number or identity of its sources of meat and meat products. They have presented to you no analysis of the number of bids they customarily receive when they seek to buy meat and meat products, no analysis of the spread between high and low bids, no comparison of prices paid by Government agencies with prices paid by other large purchasers.

The CHAIRMAN. With all due respect, that is not within this sphere. That is another department, the Department of the Army.

Mr. MYERS. I mentioned the Department of the Army.

I obtained from the Department of the Army this morning through Chicago office this information, that during fiscal 1957 a monthly average of 223 different firms supplied meat and meat products to the Defense Department. Of this total, 175 were indicated as being small business firms by the Department. They cannot provide the total number of firms for all of fiscal 1957 at this time.

The CHAIRMAN. Of course, I had asked that question yesterday, if you remember.

Mr. MYERS. I'm glad to hear that, Senator.

I don't impugn at all the intention of the Department of Defense and the Department of the Army to present a realistic objection. But I believe, sir, that their objection is ill founded and unfounded because they have not analyzed, or at least they have not presented to you, nor were they able to make available to me, any analysis of the means by which this problem allegedly would arise.

The CHAIRMAN. Well, there is no doubt, Mr. Myers, that it would tend to reduce the number of slaughterhouses which they could deal with. As you know, of the three-thousand-and-some-odd slaughterhouses, there are only 500 that have meat inspection.

Mr. MYERS. Federal inspection?

The CHAIRMAN. That is right. So I presume that is what the witness had in mind, that there would be a limitation as to the number of houses you could go to if other bills were passed. I'm inclined to agree on that.

Mr. MYERS. Senator, 2 days ago, when this hearing began, I thought I knew, as a result of the most careful research I could do, the amount of meat and meat products that is bought by the Federal Government. I went out to get their figure, because it was obviously going to come up. I asked the Agricultural Marketing Service to give me the figures on it. Today I am not sure that I know what the total is, and I'm not sure that you know, accurately.

The CHAIRMAN. Did they say 2 percent of it?

Mr. MYERS. The Agricultural Marketing Service told me originally that all Federal Government agencies together buy 2 percent of the national product.

But the lieutenant colonel who was here yesterday as a spokesman for the Department of the Army told you that the Army alone buys 2 percent of the total national product. That leaves out a great many other agencies, including the whole procurement program for various purposes of the Department of Agriculture. I don't know at this point what the total purchase is.

The CHAIRMAN. I have it here. It has been obtained in the same manner.

In 1957 the military purchases, which include, of course, all services, were 614 million pounds, and the total consumption was 27,750,000. The percentage of that, the percentage of military purchases of the total consumption is 2.2 percent.

Proceed, Mr. Myers.

Mr. MYERS. Senator Ellender, even though we don't know the exact figure, it is clear that the order of magnitude of Government purchases is somewhere in the neighborhood of 2 to 4 percent of the total product.

One percent difference isn't the definitive point. The thing that seems to me to make these fears mere shadows is this, that whether it is 2 percent or 3 percent or somewhere around there, that is an annual market of a quarter of a billion dollars' worth of meat and meat products.

Now, if the military alone buys 2.2 percent of the total national product, I would conjecture that the annual Government procurement is more nearly 4 percent.

The CHAIRMAN. But the only exemption you have here of any consequence is military; isn't that right?

Mr. MYERS. No; it is all Government procurement.

The CHAIRMAN. For what? For what other purposes? You mean all hospitals?

Mr. MYERS. Yes, the veterans, schools, and Secretary Peterson was talking yesterday with alarm about difficulties under section 32, too.

The CHAIRMAN. That amount is insignificant, as a rule.

Mr. MYERS. All right, 3 percent. But it still comes to a quarter of a billion dollars or more per year that the Government is buying and, Senator, I don't know what the psychology is within the Army, but I know a little bit about what the psychology is out where people are fighting to get business.

Wherever there is a quarter of a billion dollar demand for a product, there are going to be some American businessmen who are going to fight like the very dickens to sell the goods.

The CHAIRMAN. But, Mr. Myers, as I believe you have partially agreed, personally I am not satisfied with the penalties imposed here. If the bill is a good one, if it will accomplish humane slaughter, it strikes me that it ought to be made to apply to every plant that is involved in interstate commerce.

Mr. MYERS. Let me digress then, from my own outline of procedure and talk about that for just a minute.

I, too, thought in the beginning that we would prefer the kind of bill you are envisioning, the straight police bill that applies to every citizen everywhere.

The CHAIRMAN. It ought to. Why would you—it is very seldom, very seldom—that a method of this kind is used to enforce any bill. It is usually a penal thing.

Mr. MYERS. This is an interesting concept, I agree, and, startling at first thought as it was to me in connection with this problem, it is by no means without precedent in law. The Federal Government, of course, has many stipulations about the quality and specifications for goods——

The CHAIRMAN. That is on quality, though. I agree, you have it also with unions and labor.

Mr. MYERS. An analogy is the child-labor law. So this is not without precedent.

The CHAIRMAN. But this child-labor law is where this other thing applies to everybody.

Mr. MYERS. It applies to everybody that wants to sell to the Government.

The CHAIRMAN. Yes.

Mr. MYERS. The enforcement is——

The CHAIRMAN. And who handles goods through interstate commerce. This is a unique method, I would say. As a matter of fact, there may be other bills that have been passed by the Congress wherein such a penalty is imposed, but I am not aware of any such bills. This is the first bill that has ever come before me that I have had occasion to study, in which a unique method of penalizing has been imposed.

Mr. MYERS. When Congressman Poage first advanced this thought—incidentally, this didn't originate with the Humane Society. It originated with the House committee.

Consider these factors. First of all, the Congress is limited by constitutional provisions when it enacts what we think of as police laws. It can deal only with things which involve interstate commerce.

The CHAIRMAN. That is the basis of it.

Mr. MYERS. Right. If the Congress enacted a humane slaughter law based on its police powers, it would be restricted to plants which are engaged in interstate commerce. Of the approximately 5,000 big and little plants in the United States that engage in some kind of slaughtering, a relatively small number of them are in interstate commerce, so that at the best, the Congress could not reach the majority of slaughterers.

The effect of this bill, as we have analyzed it, is to extend its protection to approximately 85 to 95 percent of the animals slaughtered. We are not able to get an exact figure, but it is about a median point of perhaps 90 percent of all the animals slaughtered for commercial packing and production.

We do not believe that the straight police bill, even though it sounds more equitable at first thought, would reach as many animals.

The CHAIRMAN. That is where you really have the cruelty, though. The inhumane methods—it is in these smaller places.

Mr. MYERS. No, sir.

The CHAIRMAN. No?

Mr. MYERS. No, sir.

The CHAIRMAN. Well, I don't want to argue with that, but I have seen some that are much worse.

Mr. MYERS. I have seen some bad ones.

The CHAIRMAN. I saw Swift back in 1916, I think it was. I went through there and I was horrified. But it wasn't as horrible as what I saw in smaller plants around my own hometown.

Mr. MYERS. I can agree. I have seen some very bad small ones, where they get the village idiot to do the slaughtering every Friday afternoon, and that sort of thing.

But in a great many small plants, because the animals come at a slow rate, and there is no rush, you can smoke a cigarette while you look at this beast and decide how to handle it. Each animal is given treatment according to its own condition and size. They are given a right to shoot the animal. My own observation is that greater cruelty is the result of mass production.

The CHAIRMAN. You mean by number. There is no doubt about that.

Mr. MYERS. I don't want to slow down here. I know that you have a problem, but the conclusion of these economic points, of these medi-

cal, pathological, physiological arguments—the Government's very iffy, very conjectural, further difficulty about this seems to me, all of it, to be based on the ground that no one in Government has paid any attention to this until this point.

The lieutenant colonel who was here yesterday didn't sound to me as though he had ever been in a packinghouse. Mr. Peterson didn't sound as if he had ever been in a packinghouse. None of them sounded to me as though he had studied this problem at all.

Yet they ask the Congress on their testimony to reject the whole legislation.

Mr. Chairman, I am going to switch very rapidly to the point which was raised yesterday—was it yesterday—the problem of Jewish slaughter. It was Tuesday.

Mr. MYERS. I can, with humility, I think, claim to be what might be called a unique expert. A unique expert isn't necessarily a very good expert, but I am unique, on the issues raised by the representatives of a few Jewish organizations.

I think it will be useful for me to tell you what I know about these circumstances and about the techniques involved. I would like to touch on one more point at random.

The CHAIRMAN. Before you leave that, do you consider that method humane?

Mr. MYERS. I'll be right there and get explicit. There is one other point that I almost overlooked.

In my original testimony, which you were fortunate enough not to have to hear on Monday, I called the attention of the committee to the fact that there might be a question brought up about the effect of the bill in its present form on the purchase of meat and meat products abroad for use abroad, and no proponent of the legislation, and I'm sure Mr. Poage and Senator Humphrey, as authors, never intended that this should impair the ability of an Air Force station in Abyssinia to buy meat wherever it finds it locally, so that if the committee finds that there is need for any particular provision for that, I would suggest language as follows:

At line 15 on page 3 of the printed form of the present version of S. 1497 in section 3, a comma should be substituted for the period after the word "emergency" and the text continued thus: "and provided that this Act shall not apply at any time to the procurement of meat or meat products purchased outside the United States and its Territories from vendors of foreign ownership for use abroad."

The CHAIRMAN. Well, Mr. Myers, with all due respect, I think you missed the point. The question involved there was that more meat might be bought abroad because of the passage of this act, not that it couldn't buy meat abroad, but that it would probably be an excuse for the armed services to purchase meat abroad rather than here in the United States.

Mr. MYERS. Well, I don't believe the word and the objection that they raised in a letter addressed to you——

The CHAIRMAN. I didn't read the letter.

Mr. MYERS. It is in the record. They addressed a letter to you in which the objection was explicit—they might be impeded in the purchase of meat abroad.

The CHAIRMAN. I wouldn't be impressed with that. I don't think that is even necessary.

Mr. MYERS. If you don't, let us proceed.

The CHAIRMAN. I'll bring that to the attention of the committee, but I don't believe it would interfere with Government purchases abroad.

Mr. MYERS. I didn't think it would, but obviously no one intended it to.

Senator Ellender, I have a very modest qualification to enter into a discussion on the issues and the problems raised by our Jewish fellow citizens before this committee. It stems from the fact that I have been personally involved in the controversy that they placed before you during all of the last 2 years.

I have met in group conferences and in private conversations with many of the leaders of the American Jewish community in an effort to settle this problem. Particularly, I participated last January in a large and formal meeting in New York City with leaders of a large group of organizations, at which we reached an agreement that, I am convinced, is satisfactory to the overwhelming majority of American Jews. It is probably easiest to present the story of this complicated problem and get the issues clarified, if I be chronological, very briefly.

I should begin, I think, by pointing out to the committee that the first humane slaughter bill ever presented to Congress, which was drafted under Humane Society auspices, S. 1636 of the 84th Congress, protected the religious rights of Jews by absolutely exempting Jewish ritual slaughter from all provisions of the proposed law. The exempting language was unambiguous; it was absolute in its effect. I won't read it into the record here; it is available.

If an act had been adopted—enacted—which carried that language, most of the argument which was presented here Tuesday would have been irrelevant. But we were quickly informed back there in 1956 that that absolute, clear, unequivocal exemption wasn't satisfactory to Jewish organizations. The objection, it was a valid one—it was one that I instantly accepted, and I chided myself for not having seen it likewise—the objection was that an exemption carried the invidious implication that the Jewish method of slaughter was cruel. And, of course, the Jewish organizations were going to object to such an implication, since it was their contention that it is not cruel.

Now, no sponsor of the original legislation had intended any such implications, so there was immediate agreement that the language was to be changed, among everyone concerned. At that point, it seemed it would be very easy to reach agreement on language that would please everybody. The reason for our optimism was that a large number of the most influential Jewish organizations, obviously representing the overwhelming majority of the American Jews, themselves suggested language which, they said, would be acceptable to them and to the constituents of the subcommittee members. It originated with them. No one else had anything to do with it. They proposed this language.

The CHAIRMAN. That was in the study bill?

Mr. MYERS. No, sir.

The CHAIRMAN. That is the only bill we considered.

Mr. MYERS. Your subcommittee considered the whole subject and specifically the original S. 1636. I believe your subcommittee recommended to you S. 1636, and the whole committee had different thoughts.

The CHAIRMAN. That is what I had in mind, the study bill, yes.

Mr. MYERS. Because of the importance of that first suggestion by Jewish groups of language that they said would be satisfactory, and because during this present hearing there has been much confusing and indecisive debate about who represents whom in the Jewish community, and you yourself were trying vainly to find out it seems to me; it seems to me it is worth while to recapitulate here in a very highly condensed form the proposal that was made on behalf of the majority of the American Jews to your own committee.

You will find the full information about it on page 142 of the transcript of the hearings of May 1956 and on pages following.

Mr. Leo Pfeffer, associate general counsel of the American Jewish Congress, who is an eminent constitutional lawyer, presented himself to your subcommittee as the spokesman for the American Jewish Congress, the Synagogue Council of America, the New York Board of Rabbis, and the Kashruth Supervisors Union. The American Jewish Congress is one of the most important organizations of American Jews. It was founded by such men as the late Justice Louis D. Brandeis, Rabbi Stephen S. Wise, Judge Julian Mack, and other Americans of similar national eminence.

Senator Ellender, because you kept trying to find out what these various organizations were and who they represented and how many Jews were represented on this side or on that side, I think you would like to have this. The Synagogue Council of America, which was one of the organizations Mr. Pfeffer represented when he made these proposals, is itself a coordinating federation, and it includes the principal organizations representing all three of the divisions of Jewish religious life. It includes the Rabbinical Council of America, representing the orthodox rabbinate; the Union of Orthodox Jewish Congregations of America, representing the orthodox congregations; the Rabbinical Assembly of America, representing the conservative rabbinate; the United Synagogue of America, representing the conservative congregations; the Central Conference of American Rabbis, representing the reform rabbinate; and the Union of American Hebrew Congregations, representing Reform congregations.

This is the great bulk of the American Jewish community. Speaking on behalf of all those organizations I have named, and with representatives of most of them sitting behind him in this very room, Mr. Pfeffer said:

We have given careful study to S. 1636, and suggest the following amendment. We would add a subsection (g) to section 1, the section containing the definitions, to read as follows.

And this is what he proposed:

The term "humane method of slaughtering" shall mean any of the following.

He recited 1 and 2 and then 3. Three was this:

In either of the above cases, slaughtering in accordance with the practices and requirements of the Jewish religious faith by a qualified slaughterer, commonly called shohet, authorized to engage in such slaughtering by an ordained rabbi of the Jewish religious faith.

You will note that the language of that section is the substance of the language of the bill before you.

The CHAIRMAN. No; it isn't.

Mr. MYERS. It is the substance, sir.

The CHAIRMAN. Here you prescribe who will do it. That is, it has to be done by a rabbi.

Mr. MYERS. No; by a shohet.

The CHAIRMAN. By anybody in this one.

Mr. MYERS. No.

The CHAIRMAN. I'll read it to you.

By slaughtering in accordance with the ritual requirements of the Jewish faith * * * whereby the animal suffers loss of consciousness by anemia of the brain caused by the simultaneous and instantaneous severance of the carotid arteries with a sharp instrument.

But here, you see, you don't mention who will do it.

Mr. MYERS. Senator Ellender, it is implicit and absolute, because it is one of the three absolute requirements of shehitah, the Jewish law of slaughter, that it shall be done by a shohet under the supervision and under the authority of a rabbi. If, therefore, this bill says that it shall be done according to the requirements of the Jewish religion, it means that it must be done by a shohet under the supervision of a rabbi.

The CHAIRMAN. That is what this language means, you say, but it is not the language you read.

Mr. MYERS. It is not the language I read.

The CHAIRMAN. That is what I tried to point out.

Mr. MYERS. That is why I used the word "substance." The language is different, but the substance is identical.

The fact that this language, that the substance, the intent, was incorporated into this bill is conclusive evidence that all sponsors of the pending legislation have made an honest and earnest attempt to understand and meet the desires of their Jewish fellow citizens. There is still more history to this matter, however, which I think you will want to hear, and that I think the committee should have on record.

After Mr. Pfeffer had made his proposal to your subcommittee in behalf of organizations representing the overwhelming majority of the American Jews, it quickly became apparent that a small minority group from the orthodox rabbinate was opposed to humane slaughter legislation in any form, and would conduct a vigorous campaign within the Jewish community against it.

The CHAIRMAN. May I interrupt you to ask why is it that the language suggested by Mr. Pfeffer is not used in this bill and this new language substituted?

Mr. MYERS. That comes out here in just a moment.

The CHAIRMAN. I'm sorry I anticipated it.

Mr. MYERS. It's all right. It is a reasonable question.

The CHAIRMAN. That is why I asked it.

Mr. MYERS. All parts of the Jewish community wanted to avoid a public dispute with this section of the orthodox rabbis. In fact, everybody concerned wanted to avoid a public dispute about something that was alleged to somehow involve a religious problem. So there was begun a large series of conferences and discussions by correspond-

ence in an attempt to arrive at some semantic formula that would reconcile all viewpoints.

I traveled myself to various parts of the United States for meetings at which an amicable understanding was sought. I met in separate meetings with leaders of the orthodox rabbies, with conservative rabbis, with mixed groups, under the auspices of the National Community Relations Advisory Council, which is a coordinating body of Jewish organizations, and I wrote dozens of letters to individuals among the Jewish leaders.

Many of my meetings were with some of the men who were in this room on Tuesday.

When a committee of the House of Representatives held hearings on humane slaughter last year, we still had reached no agreement. We continued our efforts, however, and in January of this year, only a few weeks before the House of Representatives voted on H. R. 8308, we achieved success.

At that time, Mr. R. J. Chenoweth, of Kansas City, Mo., president of the Humane Society of the United States, and I met in a formal conference in New York City with representatives of the Rabbinical Assembly of America, the United Synagogue of America, the Central Conference of American Rabbis, the Union of American Hebrew Organizations, and the American Jewish Congress.

Representatives of still other Jewish organizations were present, but did not participate in the final results of this conference, and were classified as observers. The result of that meeting was an agreement between the Jewish organizations named and my society that the Humane Society of the United States would ask Congressman Poage, the author of H. R. 8308, to amend the original language of his bill. The amendment agreed upon between us and the Jewish representatives was precisely the language—in that form—in which H. R. 8308 was ultimately enacted and in which S. 1479 now lies before you. By every comma, it is identically the language agreed upon by the Jewish representatives I have named. They agreed that this language was fully satisfactory to them, and that if it were adopted they would have no objection to enactment of the proposed law.

You will find in the Congressional Record of February 4 the text of a letter to Mr. Poage from Mr. Pfeffer confirming the facts as I have stated them to you.

Mr. Pfeffer further told Mr. Poage that it was understood by the organizations for which he then spoke that the bill as then amended would empower the Department of Agriculture to restrict or prohibit shackling or hoisting of conscious animals in connection with the slaughtering according to the ritual requirements of the Jewish faith, the shackling and hoisting being, as was conceded here on Tuesday by other Jewish spokesman, no part of Jewish ritual.

The CHAIRMAN. Do you know whether or not Mr. Pfeffer is still for this bill?

Mr. MYERS. Yes, sir, I do.

The CHAIRMAN. The reason I ask, you know, is that Congressman Multer was for it and is now against it, apparently. That is, that he would prefer a study instead of the full bill.

Mr. MYERS. I do not attempt to tell you what Senator Multer thinks or believes.

The CHAIRMAN. Congressman Multer.

Mr. MYERS. Congressman Multer. One Congressman told me during the hearings, in an off-the-record moment, that he wouldn't be a Senator for all the money you could give him.

I don't attempt to say what Congressman Multer thinks, but I emphasize something to you that you will immediately comprehend.

Congressman Multer comes from an Orthodox Jewish family. He is a member of the lay governing board of Yeshiva University of New York, of which Rabbi Lewin, who was here the other day, is a faculty member. Congressman Multer's predilections are orthodox. He has been under considerable suasion.

The CHAIRMAN. You mean pressure.

Mr. MYERS. That is what you mean.

The CHAIRMAN. Well, that is what it is.

Mr. MYERS. It is understandable that Congressman Multer does not wish to be in the position of public conflict with the orthodox rabbis, and I may say it is even admirable. I have no criticism to offer. But I think that Congressman Multer spoke his mind freely and extemporaneously on the floor of the House and it is in the Record, and I happen to know that Congressman Multer participated in the drafting of the language which is now in S. 1497, and which was presented to my society by the Jewish congregations as their proposal. It was deliberate. He knew what he was doing when he drafted it, when he took part in those intramural meetings. We knew in advance he was going to make it; he knew when he announced his backing on the floor of the House.

The CHAIRMAN. But you are familiar with a letter which I presented to the committee indicating that he would prefer a study rather than the bill?

Mr. MYERS. Yes, sir. I just leave you to judge for yourself what the process has been.

The CHAIRMAN. Yes, I know. I'm familiar with that process.

Mr. MYERS. Senator, parenthetically I want to note for the record that organizations representing the overwhelming majority of American Jews have approved the language and the substance of the bill before you. It also was the understanding of the Humane Society of the United States that S. 1497 would be effective in the control of shackling and hoisting in all cases, this procedure being no part of any religious ritual.

I don't know whether the Senate committee members are really familiar with the fact that the great bulk of kosher slaughtering in this country is not done in Jewish-owned or Jewish-manned packing plants. This is an enterprise of Swift, Armour, Cudahy, and so on. We have no intention, if we can help it, of allowing Armour or Swift, Cudahy, and so forth, to avoid the effects of a reasonable humane slaughter bill by saying, "But this is kosher." The ritual requirements, fine.

The CHAIRMAN. Have you witnessed any of the kosher slaughtering?

Mr. MYERS. In those plants?

The CHAIRMAN. Yes.

Mr. MYERS. Yes.

The CHAIRMAN. Do they suspend the animal?

Mr. MYERS. Yes.

The CHAIRMAN. Why do you say that is humane and the other is inhumane?

Mr. MYERS. I don't say that is humane. But my understanding of this bill, Congressman Muller's understanding of the bill, Congressman Ponge's understanding of the bill, all entered into the record, is that this bill will prevent shackling, hoisting, throwing, casting, or cutting of the animals, even though the animals are slaughtered according to the laws of shohitah, because this has nothing to do with the laws of shohitah.

The CHAIRMAN. So that in the absence of shackling and hoisting and throwing or casting or cutting, if that method is dispensed with, then you would say that it

Mr. MYERS. The actual throat cut

The CHAIRMAN. Is humane?

Mr. MYERS. It is defined as humane.

The CHAIRMAN. I am asking you, is it humane?

Mr. MYERS. Senator, I believe that

The CHAIRMAN. Because you say, we have got to pass on that.

Mr. MYERS. I believe it is, in the relativity which we must maintain here. I think it is infinitely more humane than the sticking of hogs in the manner that is now universal. I believe it is very much more humane than many of the other things that are done.

The CHAIRMAN. But you wouldn't say it is humane?

Mr. MYERS. I believe that I would. In terms of realism, yes.

The CHAIRMAN. All right.

Mr. MYERS. I believe, as the evidence presented to you indicates, that unconsciousness results very swiftly when the cut is made exactly according to the ritual.

Incidentally, I told you about squirting 6 inches from a stickler's knife. I have also stood this far [measuring] from the head of steer after steer after they were killed by the kosher cut, and I have watched the eyes, and I have watched for all indications of continuing consciousness. It is not just out of a book that I tell you that relatively this is humane.

The best thing I would like to say is this, that on Tuesday some of the Jewish spokesmen before you ventured to assert that other religious groups of the United States have not approved, or have not been interested in, this humane slaughter legislation. They could not have been more ill informed. You have in the record of this hearing endorsements—vigorous endorsements—of this legislation by central bodies of the Methodist Church, which is the largest of American Protestant denominations, by the great Southern Baptist Convention, and by other large religious bodies.

I am quite sure that Jewish Americans feel, by and large, exactly about this matter as do all other kinds of Americans.

From a long knowledge of the Jewish American community, I venture to say to you that the majority of the American Jews were represented by the organizations that proposed the language which resulted in the language of this bill, and that the majority of American Jews will approve its enactment.

I thank you very much for your patience.

The CHAIRMAN. I wish to place in the record at this point a telegram addressed to the Honorable Hubert H. Humphrey and signed

by the Reverend Don Frank Fenn, D. D., rector of the Church of St. Michael and All Angels, Baltimore, Md.

(The telegram referred to follows:)

BALTIMORE, MD.

HON. HERBERT H. HUMPHREY,
Senate Office Building, Washington, D. C.:

Record me and my people strongly favoring Senate Committee on Agriculture reporting out to Senate S. 1407 and H. R. 8308, without change, and promptly, that Senators may be able to act for their constituents in making mandatory humane methods of slaughtering food animals.

REV. DON FRANK FENN, DD.,
Rector of the Church of St. Michael and All Angels.

The CHAIRMAN. Thank you very much, Mr. Myers.

The committee will stand in recess until 2:15.

(Whereupon, at 1 p. m., the committee was recessed to reconvene at 2:15 p. m., the same day.)

AFTERNOON SESSION

The CHAIRMAN. The committee will please come to order.

The next witness is Mr. Phillips.

Mr. Phillips, will you identify yourself for the record, please?

STATEMENT OF RUTHERFORD T. PHILLIPS, EXECUTIVE DIRECTOR, AMERICAN HUMANE ASSOCIATION, DENVER, COLO.—Resumed

MR. PHILLIPS. Thank you, Mr. Chairman.

I am Rutherford T. Phillips, executive director of the American Humane Association.

I appreciate this opportunity, Senator, and I would like to add my thanks on behalf of the member organizations who were represented here earlier in the testimony for the fair treatment you have given us, and the searching questions that have been asked.

I also have prepared a rebuttal to a couple of the points that were brought up, that we felt there was misunderstanding on, but they have been very well covered by Representative Ponge and Mr. Myers, and I will not go into those again.

I would like to add just one point. Mr. Myers referred to the testimony of Mr. Esibaugh that the Remington stunner is now in regular use on lambs and hogs in one plant. And the statement goes on to say:

It is believed that if regularly supplied with animals, 1 stunning operator can handle up to 200 animals per hour through present pens capable of handling that number without stunning. Any considerable increase above that figure would require changes in layout to include conveyor handling of live animals to the stunning provision.

I mention that because I think it points out the fact that it is not just necessary to put in the CO-2 chamber, which is expensive and which is specifically designed for large-scale production, in order to handle hogs and lambs and other animals in the smaller plants.

The CHAIRMAN. Well, is the method you are talking about now being used any place?

MR. PHILLIPS. According to this it is definitely in use.

The CHAIRMAN. What is the cost of that one?

Mr. PHILLIPS. Well, the Remington stunner runs \$240, the captive-bolt pistol are similar to this that we talked about—the other ran \$125 or \$150.

The CHAIRMAN. Let me ask you this. Is it admitted that the pistol, and then mushroom-shaped Remington stunner, won't work as effectively on, let's say, hogs as it does on sheep, or vice versa?

Mr. PHILLIPS. Yes; I would say that it is not as easy to use. The captive-bolt pistol is used on them widely in Europe, and used here in this country by a number of packers.

The CHAIRMAN. You mean as to—

Mr. PHILLIPS. The hogs.

The CHAIRMAN. Hogs and sheep and cattle as well?

Mr. PHILLIPS. That is right.

In other words, I think that there practical, economical methods available, and, underlining what I said the other day in my testimony, I think that we have had testing and study in the past 3 years. I am going to defer some of the answers to the technical questions, the mechanical questions, to Mr. MacFarlane, who is following me, and who is a member of the American Humane Association's joint committee on humane slaughter.

The CHAIRMAN. Well, now, if you desire, I will be glad to have inserted at this point in the record your entire statement.

Mr. PHILLIPS. I will appreciate that.

(The statement referred to is as follows:)

I am Rutherford T. Phillips, executive director of the American Humane Association, and I testified in support of S. 1497 and H. R. 8308 on April 23, 1958. I do not wish to repeat what I said then. However, in view of some of the testimony of the opponents of these bills, I would like to make the following observations:

1. It has been repeatedly stated that there is confusion about what is a humane method.

The bills S. 1497 and H. R. 8308 state that the following are found to be humane: A single blow; a gunshot; an electrical, chemical, or other means that is rapid and effective; severing of the carotid arteries simultaneously with a sharp instrument (sec. 2 a and b).

It further states under section 4 b that the Secretary of Agriculture is authorized to designate methods which conform to the policy of humane slaughtering at the effective date and thereafter at such times as he deems advisable.

This is certainly a fair way of spelling out the kinds of methods of producing insensibility without closing the door on improvements and new developments.

It is not to be supposed that the Secretary will be so strict as to require the impossible result of stunning a thousand animals with exactly a thousand blows. Room will be left for human error. Good faith compliance with the policy is all that anyone could require.

The American Humane Association and packers know which existing methods are acceptable because some packers have applied for, and received AHA seals of approval. We also have the experience of the methods used in Europe. It is unwise to spell out specific methods in the law. This is appropriately left to the Secretary of Agriculture who will administer the law with the assistance of the advisory committee established by section 5.

2. Another industry objection which has been emphasized is the cost of the CO₂ immobilizer.

This equipment is particularly designed to maintain the higher rate of kill in large plants.

The statement of Mr. Liljenquist and Mr. Unwin that this is far beyond the financial reach of the small packer, is not a valid objection to the bill. Hogs may be humanely slaughtered by use of the captive bolt pistol. This would have no appreciable effect on costs of operation in the small plant having a low rate of kill. Mr. Eshbaugh on page 2 of his prepared statement remarks that the Remington stunner "is now in regular use on lambs and hogs in one plant."

Mr. Eshbaugh goes on to say, on page 6, with respect to calves, lambs, and hogs, "It is believed that if regularly supplied with animals, one stunning operator can handle up to 200 animals per hour through present pens capable of handling that number without stunning. Any considerable increase above that figure would require changes in layout to include conveyor handling of live animals to the stunning position."

3. The AHA is surprised at the opposition testimony given on Tuesday by representatives of the Jewish faith. The original text of the humane slaughter bill submitted to Senator Humphrey by the AHA in 1955 contained a full exemption for Kosher slaughter. The present bill, in section 6 spells out that exemption so completely exempt both the preparation for, and the actual slaughter. Actually in view of section 6, section 2 b is not needed, but it was placed in the bill at the suggestion of some representatives of the Jewish faith to make it absolutely clear that there was not any implication to be drawn from an exemption that the Congress felt that Kosher slaughtering was inhumane. It is obvious therefore, that this bill will not affect Kosher slaughtering in any way. We feel that much of the testimony heard on this point was irrelevant to a consideration of this bill.

Furthermore, it is doubtful that this bill would have any appreciable effect on Kosher slaughtering as it applies only to Government procurement. We understand that a negligible amount of Kosher meat products are purchased by the Government, if any. Certainly the bill will not prohibit shechitah in any part of the United States.

We sympathize with the concern of those who testified, but an analysis of this bill shows that their fears are completely groundless.

Mr. PHILLIPS. The American Humane Association, as you know, worked on the first bill which was introduced by Senator Humphrey, and we agreed with your statement earlier that the bill, the present bill, is not the same bill that was originally introduced, and we preferred the original. However, we do feel that a bill such as the present S. 1497 will accomplish the ultimate desire that we have to bring about humane stunning. It will serve as a model for State legislation and eventually bring about, by compulsion on those packers who are not going to change over, or do not change voluntarily, the final results that we are aiming for. And it is for that reason that we are anxiously supporting this bill.

The CHAIRMAN. How do you mean that, by compulsion? You mean follow through?

Mr. PHILLIPS. I think you will find the follow through will result in other packers being brought along, and will result in State legislation for those packers who are not either on Government contract or interstate—

The CHAIRMAN. Have you any State legislatures who have passed bills similar to the ones—

Mr. PHILLIPS. There have been none. There have been a number of bills introduced, and one of the reasons why the humane organizations have not given too much encouragement is that on the State basis we got into problems of so many different ideas and types of legislation that we were holding off from the State level until we had a model that could be used so that similar bills could be in effect in a variety of States.

The CHAIRMAN. I wish to say, Mr. Phillips, that if the House had followed through with what the Senate did in 1956, and had these studies made, we may not have any difficulty in passing this bill today. But I made every effort that I could in order to have the studies made, and somehow the House did not act, would not act. So we are here after 2 years.

But anyway, I can give assurance that this committee will give it consideration.

Mr. PHILLIPS. Thank you, sir.

The CHAIRMAN. To the fullest extent. All right.

The next witness is Mrs. Christine Stevens.

STATEMENT OF CHRISTINE STEVENS, PRESIDENT, ANIMAL WELFARE INSTITUTE, NEW YORK, N. Y.—Resumed

Mrs. STEVENS. First, I would like to say that anything we wrote was not intended to be unfair to you at all. You have been a terribly fair chairman.

The CHAIRMAN. Well one thing I failed to mention probably, and I should now, is that your statement was stated before the hearing started, so that you must have had a misconception of what this committee might do which prompted you to do what you did.

Mrs. STEVENS. We put down what we believed to be the truth.

The CHAIRMAN. You believed it be, but now you are willing to say it is not true, is that right?

Mrs. STEVENS. Yes; that is right.

The CHAIRMAN. Well, we will compromise on that.

Mrs. STEVENS. Thank you.

The CHAIRMAN. I am glad to have that statement, Mrs. Stevens, and I appreciate it very much. I know that a lot of people are prone to believe that certain committees are handled like all other committees. I have been on this committee now for 22 years, and I have been chairman for quite a few years, and I have never sat on a bill and did not give it action. And I can assure you that action in one way or the other will be taken on this bill.

Mrs. STEVENS. That is good to hear.

The CHAIRMAN. You may proceed in your own way.

Mrs. STEVENS. Thank you.

Mr. Chairman, a very large number of misstatements of fact have been made by the witnesses appearing against the bills in the past 2 days, and I have tried to select for correction those which might possibly mislead the distinguished members of this committee. An objective observer from the press told me yesterday that after listening to all of the statements, he found it impossible to understand the opposition which, he said, had simply failed to present a case against the legislation. I think he is correct in this statement. I think we heard much testimony, but it did not apply to this question at hand.

All of the opponents, without exception, state that they are in favor of humane slaughter. Nevertheless, they want to study it rather than pass a law which would require compliance on the part of packers selling to the Federal Government.

The first witness opposing the bill, Congressman William Jennings Bryan Dorn, displayed ignorance of the subject of humane slaughtering methods which was rivaled only by his lack of information on the provisions of the bill which he attacked with such gusto. For example, he states—

Some farmer who hauls some sausage that he killed on his own farm or some eggs or chickens across the river to an adjoining State, might be hauled and charged with some crime under this bill. I think they could be sent to the penitentiary under the House bill.

The bill, in fact, as I believe you surely know, is not a criminal statute but operates on the incentive principle, and its application is not based on interstate commerce but on Government contracts into which, of course, an individual farmer would not enter. It would be an inexcusable waste of this committee's time to go into more of the confusing testimony presented by Mr. Dorn whose opposition to the bill in the House of Representatives met with complete failure.

The witness following him was the major opponent of this humane legislation, the American Meat Institute, representing the vast bulk of the power and money in the packing industry. The keynote of the testimony given by its lawyer was one which was to be sounded over and over again in succeeding testimony: namely, the profession that, "I don't know what is humane." The Department of Agriculture and American Meat Institute spokesmen appeared to be especially fascinated with the, to them, terrifying thought that human judgment might have to be exercised. Why should we object to the use of judgment based on the extensive knowledge which we have in this field?

It is generally agreed that unconsciousness, whether induced by anesthesia or by instantaneous stunning, prevents pain, and even the AMI and Department officials admit that mechanical stunning, properly performed, results in instantaneous unconsciousness. And, though the Department still clings desperately to its deliberate ignorance about carbon dioxide, Mr. Eshbaugh, the AMI-selected expert, stated unequivocally that the pigs coming out of the carbon dioxide tunnel were unconscious.

With this testimony even from the opposition's experts, we can surely go forward with legislation defining humane methods as ones which render animals insensible to pain by means that are rapid and effective.

These means, and they include any of the properly tested humane stunning instruments on the market, ordinary firearms and plants which are small enough to use them without danger, and carbon dioxide anesthetization, have all been approved by the United States Department of Agriculture on a meat-inspection basis. They are all in regular use in federally inspected plants in the United States of America. No objection to these methods has been offered by any Government agency, and if they are used by all packers who wish to enter into contracts with the Federal Government, some 100 million animals per year will be saved from the horrible and unnecessary cruelty which they are now undergoing. And I would ask the honorable members of this committee to remember that every hour that we sit here in this comfortable room, remote from the violence of the slaughterhouse, approximately 10,000 animals, lambs and calves, pigs, sheep and cattle, are going through protracted agonies of pain and terror just because the packers choose to use the barbarous methods that are routine in nearly every slaughterhouse throughout our country.

The Assistant Secretary of Agriculture Peterson doesn't know what is humane and what isn't. The American Meat Institute lawyer doesn't know what is humane and what isn't. Neither do spokesmen for any of the other packers. But Members of the Senate of the United States, to whom the use of human judgment is still possible, will surely agree that it is better to anesthetize or to instantaneously stun an animal than to shackle that animal by a chain around one hind leg, send him over a 15-foot well, or perhaps haul him up into the next

story of a building to be stuck by a knife and pushed along the line to slowly bleed out and perhaps to go into the scalding tank while still conscious.

A representative of the packers testified—

Without research on the subject who can say that a hog does not suffer more by smothering into unconsciousness in a gas chamber than it does by a quick thrust of the knife in the conventional slaughtering method.

Such absurd statements scarcely deserve notice; nevertheless, I will quote a few experts—you heard some this morning—on the effects of carbon dioxide. Dr. L. J. Meduna, the leading expert in this country on the subject states that with the concentration of carbon dioxide used in the slaughtering of pigs (about 60 percent or 70 percent) the animals would be in a state of anesthesia with about 5 respirations. Dr. Meduna uses carbon dioxide extensively on human beings. Dr. J. Spalding experimented on the humaneness of carbon dioxide using himself as an experimental subject and concluded that—

pigs can be rendered unconscious humanely by carbon dioxide.

Dr. Sven Mogens Blomquist, veterinarian at the Danish Meat Research Institute made controlled observations on pigs, going into the chamber with them. Scientific testimony more lengthy than you would wish to hear is available in print in the record of the hearings in the House of Representatives, April 2 and 12, 1957. I submit this for the record, if I may.

Also, as the question of a human being going through one of the carbon dioxide anesthetizing tunnels has been raised, it may be of interest that a Dutch slaughterhouse worker went through one, was anesthetized, and came out the other end having suffered not at all. His experience was the same as that of the pigs. I observed these animals through a little window which the Danes provide for the purpose in the slaughterhouse in Kolding, Denmark. The window is in the cellar below the anesthetizing machine, and one can see the pigs as they ride past it on the moving belt. They sit down, their heads begin to nod, and just as they round the bend, they fall over on their sides, unconscious. They emerge at the other end sound asleep and are never aware of the imminence of death. These pigs if not slaughtered awaken within about 3 minutes, and they are willing to repeat the trip. Thus with the combined testimony of hogs and humans, we can be certain this method is really humane.

With respect to the humaneness of mechanical stunners as contrasted with either no stunning at all or with attempts to stun with the hammer, I have submitted figures showing that as long as 33 years ago, official tests in England showed 1,255 different animals of all species stunned with 1,259 shots of the captive-bolt pistol. That was only 4 extra. The same captive-bolt pistol is available today together with others equally well-established and tested (Cash-X, Temple Cox, Schermer) and also the new Remington stunner.

The CHAIRMAN. Is it your contention that if the hammer blow is properly inflicted, that it is still inhumane?

Mrs. STEVENS. No; if that could be done, it would certainly be humane. But in practice it appears to be impossible to use the hammer blow except, I would say, on a farm with one animal to be slaughtered certainly it could be done.

The CHAIRMAN. Because I visited quite a few of the larger plants in Chicago on 2 or 3 occasions, and I saw some experts there using a hammer, and the moment that the animal was struck on the top of the head, why, it just fell unconscious. I am sure it had no more feeling, and, to be frank with you, I do not recall of seeing him miss once.

Mrs. STEVENS. You were awfully lucky.

The CHAIRMAN. It may be, but I am just saying what I saw. Of course, I also saw them slaughter pigs, and that is where I was horrified.

Mrs. STEVENS. Yes, of course, that is a terrible thing, because it is terrible for every single pig, where, as you say, with the cattle some of them are fortunate.

But I did visit Swift & Co., actually in the company of Mr. Eshbaugh, who is here, and several other people, and that time we watched cattle being stunned with a hammer, and only half of those that we saw went down with one blow. Most of the rest went down with two blows, but more blows than that were required for the others.

The CHAIRMAN. You must have had a poor expert.

Mrs. STEVENS. I do not think they were trying to show me a poor expert. Anyway, that is what I saw.

With these two methods, all animals can be slaughtered humanely, and I would like to assure the committee that no animal protective worker could possibly take issue with the humaneness of these methods. They are humane. They will always be humane. If additional humane methods should be developed, they could be adopted by packers desiring to do so, but no honest person could ever deny the humaneness of effective anesthesia or instant stunning, and the assertion that a packer might adopt one method only to have it found inhumane later and have to change it, falls into the realm of unfounded and irrational fears.

I am referring, of course, to carbon dioxide and stunning.

The CHAIRMAN. Suppose through a study the Department of Agriculture should find some method more humane than others, then what would be your recommendation?

Mrs. STEVENS. I would say that once you have a standard which is as humane as carbon dioxide and instant stunning really properly done, that standard would remain no matter what you discovered later.

The CHAIRMAN. Of course, it would remain as long as you did not change the law, because the law defines specifically what is meant by humane slaughtering. But I was just wondering what would happen if it were shown that the methods that you are now advocating are determined not to be as humane as others that might be discovered?

Do you get what I have in mind? In other words, as I understand the bill, the Secretary of Agriculture is directed to follow certain ways and means of slaughtering which are considered humane. Now in the event that new methods are found, you still think that the ones you describe here are to be followed, or—

Mrs. STEVENS. Not necessarily, I think any packer should be allowed to follow any humane method that is available. What I am trying to say, I do not think they would ever have to replace a carbon dioxide machine. I think that is what is really being implied, because something else would turn up. That carbon dioxide machine, once

installed, is certainly a humane method and would never, under any circumstances, have to be replaced by some other new method. That is what I wanted to make sure——

The CHAIRMAN. May I ask this question of you, this further question, if the methods that you describe in this bill are as effective as you say they are, why not impose a penalty on those who do not use them so you can have more general application of the law than in its restricted form? Because as was pointed out this morning, of the three-thousand-odd slaughter houses, only two-hundred-some-odd will be forced to comply with this.

Mrs. STEVENS. Yes, well—now there are several answers to that. One is that I do believe it would be very much the same group of plants, whether it were a bill on Interstate Commerce or on contracts with the Federal Government.

The CHAIRMAN. Well, there would be more if it applied to Interstate Commerce, many more. I am certain of that.

Mrs. STEVENS. But I believe that the fact that the large number of animals would be slaughtered humanely, and the bill of course called for labeling of humanely slaughtered meat would result in a very, very wide compliance if this bill is passed. I would even go further, that the administration of a criminal statute would be more difficult, and also probably would be more costly in Government time and funds. This bill is literally self-enforcing whereas the other would require going to court and so on.

The CHAIRMAN. But it is the way of administering the law.

Mrs. STEVENS. It seemed to me a very good way when I heard of it. I am completely in support of the bill.

The CHAIRMAN. I know that. I have no doubt of that.

Senator THYE. Mr. Chairman, one question that I wanted to ask of Mrs. Stevens was this, have you watched them in any alley or slaughter yard, that is, slaughter pen? More particularly an alley that the cattle come up in, where a captive-bolt pistol is used to render the animal insensible. Have you watched that?

Mrs. STEVENS. Yes, I have.

Senator THYE. Were they able, each time, to effect a strike on the animal so that they never made a miss?

Mrs. STEVENS. At the time I observed it, there was no miss.

Senator THYE. They never missed. Well, that is the only question that seems to be in my mind. No matter what it is, you have to have the head absolutely stationary if you are going to be successful, either with the captive bolt pistol or with a hammer. If the animal throws its head just at the time you touch, you would not hit it directly in the sensitive spot where you would knock him out. You see the moment you touch, in order to trigger off, the animal could throw its head and the captive bolt would hit it to one side, or on the ear, or somewhere else, you see. That is the "if" that seems to creep into the question when I give thought to perfecting the method of knocking a beef animal insensible.

Now with hogs and sheep, a smaller animal, it is not nearly as difficult as with the cow or the bull or the steer. I would say with the hog there is no question. After I witnessed the operations in Hormel's in Austin, Minn., I said "That is the way it should be done, there is no squeal." You see, a pig will squeal if you just take it by

the tail and hold it for a minute. They will squeal no matter what you do to them. If you just hold one in your arms it will squeal.

But when it comes to the beef animal, that is the big problem, and I am not certain that a man proficient with a hammer is not doing it just about as quickly as the man with the captive bolt pistol, because you have to trigger the pistol off on the head of the animal before the bolt is driven. The minute you touch that animal, if it throws its head, you are going to hit its head somewhere, but not in the sensitive and vital spot. The same thing is true with the hammer.

So we do have a problem when we start laying down a fixed, positive, legal provision in a law where the Department of Agriculture would have to say to the packer, "That is the way you must do it"—period. We could provide for a committee to make a study of what one packer has contrived as the best way of making the animal senseless, and what another packer has done. They might have to determine it in that manner. It is not a field that is just like day or night. You say it is day, period, and no one can dispute it, and if you say it is night, it is night, and no one can dispute it.

This is a twilight question, you might say, where it is neither dark, light, or otherwise. You can get yourself in quite a problem here. I have seen the time when I thought men were quite proficient at putting an ear tag in an animal's ear. Yet I have seen men myself, when they thought they could just clamp that tag in the ear with just a moment's squeezing of the finger, encounter difficulty because the minute the animal feels something touch him he will throw his head one way or another. I am wondering whether as you would be trying to trigger this captive bolt off, just about that time the animal would throw his head, and you would pop one right into the side of his temple, or into his ear.

Have you ever tried using that?

Mrs. STEVENS. I must admit I have never slaughtered any livestock, but I do know the principle of this. And the reason I thought you might like to see how this operates is I think you are referring to the Remington stunner.

Senator THYE. I am referring to all of them. Because, with this one here, you get right down and aim. Have you used a pistol on a target? In this case you are very close to the target, I will admit, but nevertheless you might think you were squeezing the trigger, and just then the head would be flopped to one side. It is the most difficult thing that I could imagine anyone would attempt, because those cattle are pretty sensitive by the time you get them into a chute. They are pretty wild as a general thing. If you can find a way of taking a bovine animal and putting it down in sleep like you do the hog, I think that is the most humane way of doing it, and I am for it and I cannot see any reason why a study should not be made. In fact, I sat right at this table when we conceived the idea of the research law for further research into animal diseases at Plum Island.

We lost our very best dog last fall just because he was trying to protect Mrs. Thye when he drove onto a rabid skunk. He crushed that skunk's head with one bite, but it proved to be a rabid skunk, and the dog had to be put to sleep to be disposed of. It was the most heartrendering thing to see my wife and the children over that dog, but it was necessary to dispose of him because he had infected himself.

Well now, I have had lots of letters condemning me because I called a conference in St. Paul to try to bring 4 or 5 States together to develop a program of making certain that we knew how to control these rabied skunks that are traveling across the countryside of all the Midwest, Iowa, Minnesota, Wisconsin. They are even up in northern Minnesota. And here in 6 or 8 inches of snow in our yard a skunk came up toward my house, last December, and before the men could get there with the gun, the skunk had reached within 20 feet of the house and the dog dove onto it.

Now that was a terrible thing to have to put the dog to sleep and dispose of it. We had to have a veterinarian come and feed the dog hamburger containing sleeping capsules in order to put it to sleep before finally disposing of it.

These are the things that we have to deal with as we sit here as members of the committee trying to find a way to lay down a pattern to determine exactly what we are to do. There are a lot of emotions in connection with it.

As I started to say, I have lots of letters condemning me because I called a conference of the State veterinarians and State livestock sanitary boards to try to determine a program to eradicate the skunks and other wild animals afflicted with rabies. I got lots of mail on it condemning me for doing such a thing. But we have to do these things.

If you can tell us how to determine a way of putting a beef animal to sleep as is done with hogs, I would vote for it tomorrow morning. That is what we are trying to do.

Mrs. STEVENS. Well, I think just what you were saying, the difference between day and night, which I think you feel in the conventional hog slaughtering as compared with Hormel's method, which is absolutely true, I feel is just as true. And I believe you will agree with me if you saw these captive bolt pistols being used in contrast with the hammer method, especially with a large number of cattle driven into a pen at one time.

Senator THYE. They come in a single row when they come through. We call it a catwalk where a man walks with a hammer, and the cattle come in there single file, do they not, right in an alley? No man walks into a pen and starts swinging right and left on these animals.

Mrs. STEVENS. He stands above them, and practically starts swinging right and left.

Senator THYE. I know, because you could not afford to put a man down in a pen and endanger that man's life. You might have an insurance problem on your hands that would be more costly than anything else you do.

But it is in an alleyway, and there is a catwalk up above it. This I know although I have never been a packer and have never worked for a packinghouse.

Senator SYMINGTON. Senator, will you yield?

Are you saying hitting with a club is equally as fast as shooting with a pistol?

Senator THYE. I am saying a proficient man with a hammer, I am not so certain he may be just as proficient with a hammer as if he were down there trying to get to the head of the animal, because

he has got to get right down there at that head when he triggers this off. Suppose just about the time—have you ever shot a pistol?

Mrs. STEVENS. No——

Senator THYE. There is a reflection for just a second when you know you are putting your pressure on that trigger. Supposing you are doing that and just that second the animal throws its head, and you drive the bolt into its ear or its eye or some place like that? I am just telling you it is not an easy task. I have used a pistol quite often.

Senator SYMINGTON. When he uses a hammer he has to swing.

Senator THYE. The same is true with a hammer. There is no sure way, and that is why I say the gas chamber is the most humane way I know of, as I witnessed it at Hormel's. It took everything out, all the squeal, all the fight. I have taken ether, so I know how I went to sleep, and I presume it is much the same way for the animal that goes into the gas chamber.

For that reason, if we could perfect a way of making a chamber that you put the animal into, that would be the most humane way. I do not see why it cannot be done.

Mrs. STEVENS. Well, I would not say that it was impossible, but I do know that since these things are right here now, and a lot of animals are being hit over and over again, and what happens is sometimes an animal goes down and because of the fact that they have not been given a really strong stunning, by the time another animal goes down this animal is starting to get up. I saw this pathetic creature when I was watching the stunning with a hammer, which has gone down, but it was not still unconscious, it was sort of down like this, and the man was trying to lean over, he had to, to get the electric prod to get the animal up far enough again. Here it was half dead and half—he had to try to get it up again high enough to hit it with a hammer.

Senator THYE. You had a terrible experience. I have been to the yards, and I have never witnessed that. Frankly, I never have.

The CHAIRMAN. I have not either.

Senator THYE. I have stood on the catwalk—when I say “catwalk” I mean a bench or a shelf just above the chute which the cattle come through—and no two cattle could stand side by side. I mean, no two cattle were abreast in the chute, it was too narrow. Now maybe different yards differ.

Mrs. STEVENS. They are different; that is right.

Senator THYE. One animal might have its head over on top of the rump of the other one, but I did not see them shoulder to shoulder, and then the man tapped one after another. I thought they were rather proficient at it because they did not waste much time.

I am sorry, Mr. Chairman, I got into this question deeper than I had any intention to.

The CHAIRMAN. Senator Symington.

Senator SYMINGTON. Mrs. Stevens, I would like to ask you a couple of questions. One thing that worries me is this question of the orthodox Jewish religion. There seems to be some opposition to the question of changing the type and character of slaughter as set down in their religion, and it has been intelligently presented to the com-

mittee. I believe you have listened to most, if not all, of that testimony. What are your comments about that?

Mrs. STEVENS. Well, I would say, inasmuch as the previous witnesses have testified, the actual religious practice itself has a tremendous amount of scientific evidence to show that it is a humane method. But the preslaughter handling is similar to that of all other animals in all slaughterhouses. It has nothing to do with religion, it has to do with the way slaughterhouses are run in the present day in the United States, or the vast majority of them are.

Senator SYMINGTON. Do you include kosher slaughterhouses in that?

Mrs. STEVENS. Yes; I would just say all slaughterhouses. Yes.

Senator SYMINGTON. Well, the point is, as I understand from some of the people from my State, that death is as instantaneous in the way they do it with a knife as it could be any other way.

Mrs. STEVENS. Yes; and as I say, you have testimony in both the House and the Senate, previous Senate hearings, that take up page after page of extremely distinguished physiologists who have stated this method is humane. And I think that is what this committee has asked for, is it not, a thorough study? That thorough study has been made with respect to kosher slaughter.

However, as I said before, the preslaughter handling is extremely cruel, just as it is in nonkosher slaughter, and we think it should not continue as it is now being practiced.

Senator SYMINGTON. Well, why do they oppose your bill?

Mrs. STEVENS. Well, that is an awfully hard question. I suppose for the same reason that all the packers do.

Senator SYMINGTON. Which is?

Mrs. STEVENS. Not to make any change in the present slaughtering methods. When I say slaughtering method, I mean the——

Senator SYMINGTON. They do not want to change because they say it changes their religious convictions?

Mrs. STEVENS. No, no——

Senator SYMINGTON. If they do change, it changes the way the Bible says they should slaughter, as I understand it.

Mrs. STEVENS. I do not believe so, Senator Symington. There is nothing in the Bible about shackling and hoisting.

Senator SYMINGTON. Then in the ritual, let's put it that way.

Mrs. STEVENS. No; it is not part of the ritual.

Senator SYMINGTON. If you agree and they agree that this is a good way to do it, then it is hard for me to say why you are for the bill and they are against it.

Mrs. STEVENS. We would very much like to have them be for the bill, and have sought their support, but it has not been forthcoming.

Senator SYMINGTON. Why?

Mrs. STEVENS. Well, as I said before, apparently because of the preslaughter handling. At least, that is the only thing I can think of.

And I would like to say this, it has been said that humane societies desire to outlaw shehitah, and I have had very extensive experience at the beginning of this bill, from the very beginning, and I know positively that that is not the motivation. The motivation, in fact, at least by far the major motivation, was the film that I hope you may see this afternoon, which shows the routine slaughter of hogs. And of

course hogs certainly are never killed by anyone of the orthodox Jewish faith, and it was when that film was shown for the first time at the convention of the American Humane Association in Atlanta, and I believe that no one there, practically, I mean, some people but the vast majority of the people there, had no conception of what was taking place in slaughterhouses.

Senator SYMINGTON. I think almost everyone is in agreement now that something ought to be done about hogs. There seems to be general agreement throwing them live into scalding pits and so forth is not right. You say that you think that shehitah is humane, is that right?

Mrs. STEVENS. Yes, I do, I mean——

Senator SYMINGTON. And you think you could have it and at the same time have humane slaughter, is that right?

Mrs. STEVENS. Absolutely, certainly so.

Senator SYMINGTON. Well then I won't pursue it any further, but it is hard for me to understand why your bill is opposed. If it is not opposed because of religious convictions, is it opposed on the basis of the expense involved?

Mrs. STEVENS. Well, it is certainly—but I would like, if we are going to talk about the expense, the expense is not too great.

Senator SYMINGTON. What I want to talk about is why your bill is opposed by the orthodox Jewish groups if, in your opinion, shehitah is not inhumane.

Mrs. STEVENS. Well I would like to say this, that I do not doubt the sincerity of any of the rabbis who testified here, and I do believe that perhaps they are frightened because apparently there have been bad experiences in European countries. I have no knowledge of these experiences other than what I have been told in the testimony by orthodox rabbis. But nevertheless, I believe such things must have happened.

Senator SYMINGTON. What, for example?

Mrs. STEVENS. That is that kosher slaughter was outlawed on the basis of being anti-Semitic in certain countries. And as I say, I cannot answer any questions about it because all I know is what has been submitted in the record. But I do know that is not the case here.

I also do know that certainly the people who are paying for the slaughter would prefer not to have to install the Dyne and Weinberg pen, just as the other packers do not want to have to buy any other humane equipment. I mean, it is all the same thing.

Senator SYMINGTON. I do not see why kosher slaughtering would be outlawed if it was humane?

Mrs. STEVENS. Well, as I understand it, it was outlawed just in order to persecute orthodox Jewish people.

Senator SYMINGTON. But it did not have anything to do with whether it was humane or not, is that correct?

Mrs. STEVENS. Well, I imagine that different people held different opinions on it, yes. I mean, I do not know enough about the subject to try to——

Senator SYMINGTON. It is a pretty important subject because if we get into a thing like this, we want to respect people's religious convictions. And it worries me that you feel shehitah does conform to humane methods of slaughter and that they believe it does, too—that

the expert injection of the knife is instantaneous and so forth—but at the same time you are for a bill that they are very thoroughly against?

Mrs. STEVENS. Well, I think maybe you have just said—the injection of the knife. I think a lot of people do not understand the difference between what is now happening in nonkosher slaughter, where what happens is that the knife is just going in this tiny, little hole, and it takes a long, long time for these animals to bleed to death. They are hanging by one hind leg, they are terrified, they are pushed along this line and it is a horrible thing, whereas kosher slaughter is very nearly decapitation. I mean, it is the next thing to it. And it is just completely different.

Senator SYMINGTON. What are you talking about now, sheep?

Mrs. STEVENS. Well, sheep and cattle.

Senator SYMINGTON. And cattle?

Mrs. STEVENS. Yes.

Senator SYMINGTON. A bill was once passed in this committee for study, but then it was rejected by the House. As I understand it, some people feel that the bill was rejected by the House because there was not enough time to consider it, and other people feel it was rejected because the House felt that our bill was sort of innocuous—it really did not mean anything. What is your opinion about that?

Mrs. STEVENS. I believe the House Committee on Agriculture felt that it did not mean enough, yes.

Senator SYMINGTON. What do you mean by “did not mean enough”?

Mrs. STEVENS. Well, that because of the past history of the packers in this area, where they had been claiming to be studying it.

Senator SYMINGTON. I am sorry, I did not hear you. Someone was talking over here. What did you say?

Mrs. STEVENS. The past record of the packers having studied the matter for over a quarter of a century and done nothing, it became apparent that something more than study would have to be used in order to get the packers to use the methods that were available and effective, as I have explained before.

Senator SYMINGTON. So you feel that the House Agriculture Committee specifically felt that the bill that we were sending over, that the Senate sent over, was an innocuous bill and therefore did not care to proceed with it. Is that correct?

Mrs. STEVENS. That is putting it awfully strongly.

Senator SYMINGTON. You put it in your words.

Mrs. STEVENS. I would say they felt a much stronger bill should be, and needed to be, presented.

Senator SYMINGTON. At least it would have been a step forward, would it not? I am just wondering, inasmuch as I have heard other stories that they are not for it. I do not know, I have never talked to anyone on the House Agriculture Committee about this bill.

Mrs. STEVENS. That are not for what?

Senator SYMINGTON. They are not for a humane slaughter bill.

Mrs. STEVENS. Well, they reported H. R. 8308 out with a majority of 25 to 3, which would seem——

Senator SYMINGTON. Out of the committee? I think that is a very good answer. And you feel they refused the Senate bill because they thought the bill did not mean anything?

Mrs. STEVENS. That it was not an adequate way of getting the packers to use humane methods, yes.

Senator SYMINGTON. And that they reported the humane method bill out 25 to 3?

Mrs. STEVENS. That is correct.

Senator SYMINGTON. And when did they do that, Mrs. Stevens? What year?

Mrs. STEVENS. Well, last year.

Senator SYMINGTON. Last year?

Mrs. STEVENS. Very early in the session. I just cannot say which month.

Senator SYMINGTON. And what happened to the bill over here, Mr. Chairman? Does the staff know anything about that?

The CHAIRMAN. Well, the bill was passed by the House of Representatives——

Mrs. STEVENS. February 4 of this year.

The CHAIRMAN. Under date of February 4.

Senator SYMINGTON. 1957?

The CHAIRMAN. 1958.

Mrs. STEVENS. 1958.

Senator SYMINGTON. Of 1958.

The CHAIRMAN. And the bill was thereafter referred to this committee.

Senator SYMINGTON. Yes, sir.

The CHAIRMAN. And that bill is now before us, together with Senator Humphrey's bill, which is an exact duplicate of the House bill.

But what the Senate was asking, as I understand, in respect to the bill that this committee passed, and the Senate passed in 1956, was for a study of the problem.

Senator SYMINGTON. Yes. But we now have a bill before us, which, if we approve, would become law; is that right?

The CHAIRMAN. That is right. If we approve it and the Senate approves it, it automatically becomes law. That is if Mr. Benson does not get the President to veto it. Because he is against it, you know.

The matter that I stressed this morning, Senator Symington, and I think yesterday also, was that this committee held extensive hearings under Senator Humphrey in 1955 and 1956, as I recall, and at the conclusion of those hearings we had quite a session as to what to do, and the committee felt it was in regard to methods, and that the better thing to do would be to have the Department study and report in 2 years. Well, the House went to sleep on that bill and it did not act on it in 1956, you see, and that is why these studies were not made.

But still, I contend that if the Department of Agriculture had sufficient interest in this matter, in my humble judgment they had the authority under present laws to make these studies. And it is my considered judgment that they are and were woefully negligent in not studying this problem.

But I go back to the proposition that these hearings of 2 years ago, as well as now, are going to have a very salutary effect, irrespective of what happens on this bill.

Senator SYMINGTON. Mr. Chairman, I wonder why the House felt that further studies were not necessary when the Senate feels that further studies are necessary? Is that just our superior intellect over here or——

The CHAIRMAN. Well, I do not know, it may be, Senator Symington, that the Senate bill reached the House a little too late, probably, and they did not go into it as deeply as we did. As you will recall, we spent, at least the committee did, I was not able at the time to attend many of the meetings—but it is my belief that the House failed to take action because of the fact that it was late in receiving it.

Senator SYMINGTON. Why would the House want to pass a bill for further study if they had already passed a bill without further study?

The CHAIRMAN. I am inclined to believe that they would at the moment probably be against the further study, since they passed the bill, a bill declaring what humane slaughter is, which we are now considering.

Irrespective of what this committee does, that is, if we should report the bill out as written, it would go direct to the White House. If we were to limit it to make a study bill out of it, then it would go to conference, and then we could decide whether or not the House desires further study or its original bill. And the bill would then be considered by the conferees of both the Senate and the House.

Senator SYMINGTON. Thank you, Mr. Chairman.

Mrs. STEVENS. May I add just one thing?

The House bill was amended on the floor, an attempt was made to amend it into a study bill, and that was rejected by a vote of 122 to 73. So we already know the House does not want a study bill.

The CHAIRMAN. I am glad you mentioned that for the record.

Mrs. STEVENS. One other point is when the study bill was passed in the Senate, during that recess the subcommittee in the House that was responsible, that was going to hold hearings, you know, when they got back, went and visited slaughterhouses and quite a considerable number of them—as I think possibly what Senator Thye said, the difference between day and night which they saw in Hormel's and the traditional method, and also which they saw in the stunning with the mechanical instrument, as Mr. Poage described it this morning, with the lights which keep the animals' heads very still, as contrasted with the hammer, I think they felt, well, here it is, day and night, so they wanted to have the bill——

Senator SYMINGTON. Have you any comments on the testimony of Mr. True Davis this morning incident to the problem of making anti-hog-cholera serum?

Mrs. STEVENS. Yes; I was going to say two things. Certainly it has been established carbon dioxide and anaesthetization results in a greater volume of blood, and I would have liked to have asked him whether scientists felt that carbon dioxide could harm the serum, because that does not sound sensible. And further, if he wanted to stun the hogs, it of course can be done with a mechanical stunner, although he did not seem to know about that fact. I mean, if he does not want to use the carbon dioxide.

Senator SYMINGTON. Did Mr. Davis say that carbon dioxide was harmful or that they had not studied it and, therefore, did not know?

Mrs. STEVENS. They had not yet studied.

Senator SYMINGTON. I do not think he implied it did do harm; he just wanted to know.

Mrs. STEVENS. Well, yes.

Senator SYMINGTON. Is that right?

Mrs. STEVENS. He had to ask someone there, and they said they did not know, or something of that kind.

The CHAIRMAN. In that connection, I wonder if I could ask the witness this question. Suppose the committee decided to exempt hogs used for serum manufacture, would there be objection on the part of the proponents of the bill?

Mrs. STEVENS. Well, if it were proved absolutely impossible to do it any other way, of course, we would not object. But if——

The CHAIRMAN. Those are the problems, you see, that the committee is going to have to think about.

Mrs. STEVENS. We would certainly not object if there is some true reason for doing it. But I doubt very much that there is.

The CHAIRMAN. Any further questions, Senator Symington?

Senator SYMINGTON. No, Mr. Chairman.

Thank you very much.

The CHAIRMAN. Off the record.

(Discussion off the record.)

The CHAIRMAN. All right, Senator Thye, proceed.

Senator THYE. The only question that I wanted to try to get a little more light on is the religious question. This is very serious because we have been taught, and it is part of our Constitution, that religious convictions of persons shall be held sacred.

Mrs. STEVENS. We believe that, too, and that is why the bill has been——

Senator THYE. Therefore that is something with which we must concern ourselves when we are in the field of legislation. We have the right to worship God as we learned at our mother's knee, and if there is any action here on the part of Congress that would in any manner change that, that would be improper.

Mrs. STEVENS. Well it certainly would, and as you know, section 6 of the bill definitely and unequivocally states there can be no change or any interference of any kind in any religious practice. I am not quoting it exactly.

Senator THYE. Then how would a packer conform to that and conform to the other provisions under interstate business?

Mrs. STEVENS. He would, in the case of cattle, use a Dyne-Wernberg casting pen which is a humane pen for bringing the animal into position for kosher slaughter, or for sheep or small calves he would simply lift the animal up and lay it down in position for kosher slaughter. It is very simple, there is no——

Senator THYE. You mean you would physically take a sheep and tip it onto its side?

Mrs. STEVENS. That is right; you just lift it up.

Senator THYE. Have you tried it?

Mrs. STEVENS. I have not, but I have watched people do it, and they do it very easily.

Senator THYE. Of course, sheep can sometimes weigh better than 100 pounds, and you are not going to stand there and lift those and lay them on their sides all day long, unless you are Hercules himself. You have watched a man shear sheep, haven't you?

Mrs. STEVENS. Yes; I guess I have.

Senator THYE. It is a physical operation, right there, just pick them up and you stand there tipping them over and then keeping them in position while you proceed to draw the blood. That is quite an operation.

You see, these are the sorts of problems that come into focus when we take a paragraph of this bill and try to apply it. The legal application of that paragraph or that chapter of the law to a specific instance in a slaughter yard would have to comply with the religious convictions of certain people, and that is the area that I am disturbed over. If we could write into this law that which would bring forth humane slaughter in every detail and yet not trespass upon the religious conviction of a person, I would vote for it tomorrow morning.

It would be much easier because then I also would not be getting these letters, "Have you enjoyed your bacon this morning?"

That was something that I thought was going just a little bit too far.

Mrs. STEVENS. Well, Senator, I did not——

Senator THYE. I just wondered whether we needed that sort of thing, whether it was necessary to resort to anything like that. I get these cards with beautiful flowers on them and stating, "Did you enjoy your breakfast this morning?" and then refer to humane slaughter——

Mrs. STEVENS. I know that there was an editorial that was very widely repeated and they asked that question, so possibly some people read it in the paper.

Senator THYE. Evidently lots of them did because I got lots of those nice cards with a message and flowers on them.

Mrs. STEVENS. Well, I am sure that you would enjoy it more.

The CHAIRMAN. Proceed.

Mrs. STEVENS. Similar fears in a different area were expressed by numerous orthodox rabbis. A great deal of misinformation has evidently been made available to them. To take a few instances: the statement that in several State legislatures bills for humane slaughter were introduced which omit protection of kosher slaughter appears to be wrong. I know of no State legislation except that proposed in Utah in 1955 and defeated. It included exemption of kosher slaughter. Or, another instance, the statement several times repeated that Catholics and Protestants have never spoken out in favor of humane slaughter legislation. The record of this hearing includes urgent requests for the passage of the legislation by the Board of Social and Economic Relations of the Methodist Church, the Southern Baptist Convention, some 60 professors of Notre Dame University, and this is not to mention the many ministers of different faiths who have written to members of the committee and encouraged their congregations to do likewise. Further, testimony was submitted stating that the results of humane slaughter legislation in various unnamed countries were not satisfactory. But, so far as I know, no such legislation has ever been repealed, and it has worked very well and protected many, many animals wherever enacted.

It was stated several times in the course of the hearings that I was in error when I quoted Congressman Multer's remarks from the Congressional Record of February 4. Congressman Multer stated to me by phone yesterday that he has not changed his opinion expressed on the floor of the House on that date that H. R. 8308 as amended would "satisfy the overwhelming majority of people of the Jewish faith." I believe that Mr. Multer will confirm that statement if the committee requests him to do so.

Many witnesses have sought to attack humane slaughter legislation through a discussion of electrical stunning. The Assistant Secretary of Agriculture stated that electrical stunning is acquired by law in some countries. This is untrue. Electrical stunning is a difficult method to use on large animals. This bill which, in its original form included poultry, still contains the reference to electrical stunning which would have been necessary had poultry been included. The reference certainly does not mean that anyone is going to have to use electrical stunning on livestock. The packers started investigating electrical stunning in 1929, got a ruling against it from the Department of Agriculture, dropped all efforts to discover practical humane methods until 1955 when Senator Humphrey introduced his bill, and have just now instituted a new study into electrical stunning which they think should serve as a reason for not passing effective legislation. In Denmark, electrical stunning was investigated for a period of about 1 year during which humane slaughtering regulations were suspended. They have been in full effect again since May 1956. I think we have heard enough about electrical stunning, which cannot be used in any federally inspected plant in this country today and which need never be used here.

With respect to kosher slaughter, it is the intention of the sponsors and supporters of S. 1497 and H. R. 8308 not to interfere in any way with religious freedom, and the bill unequivocally so states. The amendment adopted in the House was drafted by Jewish groups whose names are to be found in the Congressional Record of February 4. I am very well acquainted with the efforts of humane individuals and groups who initiated the legislation, and I know positively that the statements of orthodox rabbis to the effect that Humane Societies are motivated by a desire to outlaw shehita are absolutely false. The motivation for this legislation came from the viewing of the film which I hope you will see today which shows the routine slaughter of pigs, which, as is well known, are never slaughtered by those of the Orthodox Jewish faith.

I was asked by Rabbi Lewin who testified here Tuesday to advocate a bill for the humane slaughter of pigs and horses only. Possibly the reason for this is to be found in the testimony offered by other orthodox rabbis who believe that the shackling and hoisting of cattle suspended by 1 leg for 1 minute could not be considered to be inhumane. Indeed, Rabbi Sharfman said, "And we could not consider that to be inhumane, no more than holding a giant dog on a leash and the dog straining on the leash." In evaluating this statement, it would be well to remember that dogs do not break their legs while straining on the leash. It has been testified that the humane Weinberg or Dyne pen for kosher slaughter of cattle cannot be used for sheep and calves. This is not necessary as sheep and calves can simply be lifted up and placed gently in position for kosher slaughter.

These humane handling methods are more consistent, to say the least, with the directions of the Bible as quoted by rabbinical authorities than are the present methods of shackling and hoisting, identically the same for slaughter religious or nonreligious and equally cruel in either case.

In concluding, I should like to refer to the assertion of the lawyer for the American Meat Institute that "the packing industry is sincere when it says it wants to improve methods." There are two ways in which those close allies, the meatpackers and the United States Department of Agriculture under the leadership of Secretary Benson could have shown their sincerity on this subject. First, the packers could have adopted humane methods for all livestock. Second, the packers and the Department could support H. R. 8308 and S. 1497, legislation for which the Department has pledged itself to do its utmost if enacted. Knowing the character of this movement for humane slaughter as I have seen it develop so far, I would most sincerely recommend to the packers, for their own good, that they withdraw their unwise opposition to this legislation while the majority of American citizens are still unaware of conditions now existing in packing plants. Every day more housewives are learning with astonishment and horror about the way in which our food animals are killed, and their anger at the continuance of this unnecessary cruelty is rising. By far the best and simplest solution would be the enactment of these bills.

We most earnestly hope that this distinguished committee will vote to send the bills to the full Senate to be voted on.

The CHAIRMAN. Any further questions?

Senator THYE. No, thank you.

Mr. CHAIRMAN. Thank you, Mrs. Stevens.

The CHAIRMAN. The next witness is Mr. MacFarlane. Mr. MacFarlane, would you step forward, please, sir, and identify yourself for the record?

Mr. MACFARLANE. Yes, sir.

**STATEMENT OF JOHN C. MACFARLANE, DIRECTOR, LIVESTOCK
CONSERVATION DEPARTMENT, MASSACHUSETTS SOCIETY FOR
PREVENTION OF CRUELTY TO ANIMALS, BOSTON, MASS.—
Resumed**

Mr. MACFARLANE. My name is John C. MacFarlane. I am the director of the livestock department of the Massachusetts SPCA and Angel Memorial Animal Hospital in Boston, Mass.

I could not have had a nicer person yield to me, Senator, than Mrs. Stevens, and I shall do likewise when you are ready to take over.

First, I would like also to thank you, sir, for your courtesy and for the very keen method that you have used throughout this entire hearing to ferret out the facts that you have had laid before you, and your committee affiliates.

The CHAIRMAN. I consider that the duty of the chairman, because he usually is the one the Senate looks to to give the facts out. Because if this bill is reported, it will probably be reported by me or someone I designate.

Mr. MACFARLANE. My compliment was intended for you, sir.

The CHAIRMAN. The chairman is looked to, though, as the man who knows it all—even though he does not, or, might not.

Mr. MACFARLANE. I do not claim to be an expert, but I have 33 years in this business.

I have three points I would like to clarify first, if I may.

It has been stated by one of the witnesses here that the humane organizations of America, about 10 years ago, objected to the use of carbon dioxide as a means of immobilization. That is not a factual statement. Perhaps it was a misunderstanding on the part of the witness.

There was such a statement rendered by the humane organizations of the United States about 25 years ago.

The CHAIRMAN. Have you that statement in writing? Is it in writing?

Mr. MACFARLANE. It could be procured, sir. It is not available at the moment, but it can be made a part of the record. I vividly remember, however, and I think I can give you the facts.

The CHAIRMAN. All right.

Mr. MACFARLANE. It was a statement that was made public some 25 years ago, and it had to do with the objection raised by our organizations at that time to the use of carbon dioxide gas as a means of euthanasia—causing death. We were not interested, nor were we concerned, with any research in those days involving carbon dioxide as a means of immobilization. We were using it to kill small animals.

The second point I would like to clarify, Mr. Chairman, it was repeatedly brought out that the only truly humane method of killing that is known in America today is the method that is referred to as shehitah. I was raised in New York City on the East Side, not too far from Al Smith.

The CHAIRMAN. Will you describe the method, please, for the record?

Mr. MACFARLANE. The method is the kosher method which has been referred to.

The CHAIRMAN. Describe it for the record, how is it done?

Mr. MACFARLANE. The process?

The CHAIRMAN. In other words, suppose they select an animal that is out in the lot, or in the field somewhere, and they want to point him out as one to be killed. Now, start from the time that they lasso him, or catch him, or whatever method or manner they use to bring him in.

Mr. MACFARLANE. If I am to describe the method known as shehitah, Mr. Chairman, I must begin at that point where the shohet makes the throat cut with the knife, because prior to that it is not a ritual part of their slaughtering process.

What takes place with the animal prior to the cut of the shohet, who is a very trained and moral man, all of that work is under the auspices and direction of the slaughtering plant in which this killing is taking place. An animal is not koshered until the shohet makes the throat cut.

The CHAIRMAN. So that they do not consider this method in which he is brought to the execution place?

Mr. MACFARLANE. No, they do not.

And many of my friends of Jewish faith have told me through the years they would much rather not have an animal subjected to the type of treatment that is very normally accorded animals to be koshered

because they run into stiff cattle, difficult cattle, that are hard to take the hide off of. They are dark cutting cattle oftentimes because they are frightened.

And I think our Jewish brothers, I will attest to the fact, are basically a very humane people, and they would like to have their animals treated in as kindly a way as possible.

The CHAIRMAN. Well then, let's start from the time of the execution.

Mr. MACFARLANE. From the time of the execution I am convinced and have been for years and I believe I can corroborate what Mr. Myers brought out this morning, that the method known as shehitah is a humane method. I think it brings about rapid, if not instantaneous death.

The CHAIRMAN. That means the cutting of the——

Mr. MACFARLANE. Cutting of the carotid arteries.

The CHAIRMAN. The jugular vein, we call it, isn't it?

Mr. MACFARLANE. That is right.

The CHAIRMAN. Call it that way because I understand it better.

Mr. MACFARLANE. That is the right pronunciation, by the way.

But I take exception, sir, when our good friends of Jewish faith tell us that is the only humane method of slaughtering livestock available. By their own admission, it takes approximately 2 seconds before an animal is completely unconscious and subsequently dies when the throat is cut, even by such an expert as a shohet. I think we are all agreed that either electricity or a bullet would be even a little faster. And electricity can be used, it is being used, and I shall try to enlarge upon that now, sir.

It was also stated that some of the countries in Europe where they were using electricity to bring about immobilization ceased to do so and are not now using electricity. This is another misconception based on a lack of knowledge of what the facts are. In Denmark—I was in Denmark in 1955—there were at that time 78 pig factories in the country. They do not call them slaughterhouses as we do, they are factories. I visited a great many of them while I was in the country, and at that particular time, in 1955, our Department of Agriculture, the Meat Inspection Branch of our Department of Agriculture, had determined some of these little hemorrhages in the tissue of hams that were canned in Denmark and sent to America, and they naturally objected and they stopped the importation of them until a search could be made to determine what was causing this.

So, of course, Denmark became quite alarmed, and the Government said, "No more electric stunning—stop it." Seventy of the plants that were using electricity, 70 of the 78, stopped immediately. Eight of them continued and never stopped using electricity because they all felt in their own mind that their method of using euthanasia was beyond reproach. And the meat that had been sent to this country, subsequently found to have been spotted by hemorrhaging, did not come from their plant.

I think they stopped the use of electrical energy for approximately 5 months, not more, and then they went back to it. But, in the meantime, the Government set up what was known as the Danish Meat Institute. The institute was set up for the purpose of studying electronarcosis, studying the effect of no method of euthanasia, no method of immobilization, and studying the method of carbon dioxide. Those

three methods were studied, and have been studied very exhaustively. I believe the reports are available. I have never asked my friends in the Department of Agriculture, but I assume that they have them, even as I have them in my office.

Their original reports indicated that carbon dioxide, their finding indicated carbon dioxide, raised the pH factor of the meat. It had a tendency to darken the fat tissue a little bit, which, of course, soon dissipated itself. As the blood left the body of the animal so did the carbon dioxide. They felt that the bacteria count was raised in the brine and in the tissue, but later reports and later exhaustive research straightened that out.

So the last report that came from the meat institute, which I have, indicated that in their opinion carbon dioxide was preferable to electricity. But they did recommend that you could use both. However, they preferred carbon dioxide.

And you will remember from testimony given, Mr. Chairman, that Mr. Eric Weinberg, who is a very fine engineer in Denmark, who is now in Iran, came here and studied the Hormel process and was so fascinated by what he saw that he went back and, with permission from Hormel, developed a similar type unit which he called the Little Horseshoe unit, big enough to tag 100 hogs an hour, and Danish pigs, which are 120 to 150 pounds. They are long and slender and not very big. They have uniform pigs in Europe, where we do not. We sometimes in a market load will get 12 apiece that will weigh 200 pounds, we might get 5 that will weigh 600 pounds. The difference in width may have a lot to do as to what type of tunnel you might subject them to. But in Denmark you do not have that problem. You do not have it in Holland, either. But now they have put the O. K. on both electricity and on carbon dioxide.

I have a picture which I brought with me, Mr. Chairman. I do not know that you are going to have time to see it. It is a motion picture. I took most of it myself, and it is strictly amateurish. Some of it was taken professionally in some of the plants I visited, showing alleged humane methods of slaughtering as it is now done in European countries, Holland, Norway, Denmark, and England.

When I went to Holland I found a condition which, in my opinion, Mr. Chairman, represented the most humane method of killing of anywhere I had ever visited, either this country or abroad. But as Mr. Eshbaugh will verify, the efficiency of the system in the Rotterdam slaughterhouse under the direction of Dr. Houthuis depended entirely upon the doctor being present when the animals were being subjected to electric shock. I have had reports from the slaughtering plant, which he was the official of, indicating that when the good doctor would leave the premises, human beings being what they are all over the world, they would relax a little bit and perhaps the system was not so good. But my organization permitted me to buy one of the units that Dr. Houthuis helped to perfect in Holland. It is referred to as the Elthar. It is a foolproof electrical gadget, if I may refer to it in that manner, fashioned after similar types of equipment used in European hospitals for the treatment of neurosis, mental conditions. I bought the thing with the consent and approval of my organization and had it sent home. It has now been in tests at the University of Connecticut for about 6 months. All of the animals

killed in the meat department at the University of Connecticut in the agricultural college have been stunned prior to the throat cut, either by the Elthar method, the sheep, the calves and hogs, or in the case of large animals that have been stunned by the Remington humane stunner. The meat has been examined by the university veterinarian, and I have reports in my office indicating that he has found no objectionable lesions in any of the organs or in the meat itself which would cause him to condemn any of the carcasses brought to the meat department.

The CHAIRMAN. That is by both methods?

Mr. MACFARLANE. That is correct, sir, by both methods.

The CHAIRMAN. Were you present when this process was going on? Stunning?

Mr. MACFARLANE. I was present—you mean at the university, sir?

The CHAIRMAN. Yes.

Mr. MACFARLANE. I was present for 1 full week. I ran a short course on what we call livestock conservation, and that was a part of our course.

The CHAIRMAN. Well was any difficulty encountered when different-sized animals were used?

Mr. MACFARLANE. Oh, yes. Yes; it would not be fair for me to assume that there were no difficulties, sir. In the university we had snubbing rings in the floor, and 2 or 3 men would bring 1 head of cattle out, we will say, and snub him down close to the floor so we could get an accurate position to administer the blow of the Remington. The same was true of hogs, they would first be drawn before we would apply the electric tongs to them.

The CHAIRMAN. That would not be feasible in our plants?

Mr. MACFARLANE. It would not be practical in our plants; no, it would not.

However, I have always maintained, Mr. Chairman, that the use of electricity, or what I like to refer to as the induction of electric narcosis, deep sleep, where a low voltage is used and where a plant exists that does 25 or 30 animals a day, and there are literally hundreds and hundreds of them, electricity is a usable method. It is certainly an economical one, it has proven to be extremely safe, and we know from many years of experience that it is extremely effective.

The CHAIRMAN. Off the record.

(Discussion off the record.)

The CHAIRMAN. Go ahead, Mr. MacFarlane.

Mr. MACFARLANE. Mr. Chairman, if I may digress for just a moment because the Senator sitting across the table raised a question.

The CHAIRMAN. Senator Thye.

Mr. MACFARLANE. Senator Thye, concerning the comparison between the hammer blow by an expert and the blow from one of these mechanical instruments.

A survey was made in England 2 years ago, sir, and testimony was made available before the Senate committee in hearings on S. 1636 on May 9, 1956, and let me read just one paragraph:

Experimentally a comparison was made in England between the use of the polax and the captive bolt pistol. An experienced man with a polax required 655 blows to stun 400 animals while the operator with the captive bolt pistol used 1,259 shots to stun 1,255 animals; 2 of the misses were due to defective cartridges.

That was a statement made, Senator, by Mr. Norgord, who at that time was in the employ of the American Humane Association.

Now, the Schermer is not used on the frontal bone so you do not have to approach the animal from the front and that is always difficult. The Schermer is used behind, stunning the animal between the atlas and the occipital space, in other words back here [indicating], and the animal is not looking at the operation, so he does not know—

Senator THYE. Well now, just a minute, you are using words that are unfamiliar to us.

Mr. MACFARLANE. Well, at the end of the skull there is a bone that looks like a bow tie and that is the atlas bone, and the next bone is the occipital bone.

The CHAIRMAN. Does that connect with the backbone?

Mr. MACFARLANE. Yes, sir.

The CHAIRMAN. Part of it?

Mr. MACFARLANE. Yes, sir. And this is used to penetrate between that space and bring about complete comotosis.

Therefore, when we first began to develop the Remington instrument we found that the first Remington developed was made in metal that was the color [indicating] and we had to approach the beef animals from the front or the top looking down at their backs, and as we would get the instrument in place ready to make the blow, the light metal would reflect and the animal would shy away. We found it extremely difficult to place blows properly and so the metal was then made in that gunmetal type color and since that time it has been much more effective.

Also for the record, Mr. Chairman, I have these figures which I think may help you, sir: As of June 30, 1957, there were only 258 of the 507 federally inspected slaughtering plants slaughtering hogs in the United States. There were 447 plants slaughtering cattle. There were 338 slaughtering calves and 223 slaughtering sheep and 65 slaughtering goats. There were 258 slaughtering swine and 13 slaughtering horses. Those are all under Federal inspection.

If I may now go back to the subject that I believe I left off at the time Mrs. Stevens came forward, which was electrical shocking.

The CHAIRMAN. Yes, sir.

Mr. MACFARLANE. Dr. Hoothvis in Rotterdam, Holland, as I indicated before, Mr. Chairman, has perfected a model type of slaughtering operation, but when he was away from the plant it was not a model because human, the workers would become sometimes careless. I spent 10 days with Dr. Hoothvis in Holland and he told me not to use the electrode equipment which I subsequently brought back to America. He developed two methods of inducing unconsciousness in hogs which apparently is one of our major problems because there are more of them slaughtered than any other type of animal.

One was the administration of a high voltage, 185 to 220 volts for a short time, 1 second, at 600 milliamperes. When that type of voltage was used on the hogs I personally observed tiny hemorrhages, little tiny blood spots in the lungs when the animals were dressed out but Dr. Hoothvis did not pay any attention to those because he determined in his mind—he knew the difference between and he could differentiate between hemorrhaging caused by electricity and hemorrhaging caused by the incipient stages of hog cholera.

I would not advocate that as a method for causing immobilization in this country. I would recommend the use of the electricity where the long count was used, that is, using the same equipment and reducing the voltage to 70 with the same milliamperes, 600.

This is a long tong, or it looks like an ice tong, it is quite movable and it is not too heavy. When I first looked at it it seemed to be very cumbersome but after 8 tries even I learned how to use that with some dexterity, to touch the hog in the shackling pen and that would immediately cause the hog to become stunned momentarily and if he was released at that time and if you removed the tong then the hog would run around not the least bit shocked, but Dr. Hoothvis told me that by removing the electrode around the body until I had the electrode on a point which is behind—one behind the eye and one behind the opposite ear, then the 70 volts would go through and holding it in that position for about 15 seconds the hind legs of the animal would eventually do this [demonstrating], they would straighten out.

And when stretched out to their fullest point, he would then release the electrodes and the hog would slump in a completely relaxed condition and while in that condition it was shackled and hoisted and stunned.

At no time did I see an animal regain consciousness in his plant except the one hog he asked me to lay on one side to see what would happen to it.

Within 15 minutes the hog I had personally reduced to unconsciousness with this 70-volt pressure, the hog came back to its hind feet and was apparently none the worse for wear and was subsequently slaughtered, but no autopsy was performed; so I don't know whether there was any damage.

The CHAIRMAN. But you say that is not practical in this country?

Mr. MACFARLANE. No, except in the small plants.

Senator THYE. Would you believe that the hogs were suffering any discomfort while you were moving those tongs?

Mr. MACFARLANE. Well, in my own personal belief, I feel I was not being the most humane person in the world until such time as I had the electrodes where he told me to put them; but he told his workmen could do it much more rapidly.

Senator THYE. Yes, but you say you were moving that around the body until you hit that one certain place behind the ear?

Mr. MACFARLANE. Yes, the ear.

Senator THYE. And apparently there must have been some current moving through the hog.

Mr. MACFARLANE. That is right, the full 70 volts.

Senator THYE. So the pig must have been suffering some discomfort.

Mr. MACFARLANE. I have no doubt that when I did it the pig was uncomfortable, but when you learn to work very rapidly it is only a matter of 3 or 4 seconds.

Senator THYE. Mr. Chairman, I am sorry, but I do have to leave for that 4 o'clock appointment.

The CHAIRMAN. Yes, I am sorry to see you go, Senator Thye.

Mr. MACFARLANE. In closing, Mr. Chairman, I have only one more thing I would like to add—two things, perhaps:

I do not think that any of us in this country who profess to believe in the humanities and who have an appreciation for man and animal

would object to any of the study bills that have been proposed, if there was a deadline in the study bills.

The CHAIRMAN. Well, we had a deadline.

Mr. MACFARLANE. I know you did.

The CHAIRMAN. I would not do it otherwise. In other words, any action that is taken fast with respect to this problem—we meant business. We did not just want to fool around with it, or at least I would not. And that has been my method of doing things since I have been in the Senate, and I still contend that if the bill you had proposed had been passed by the House, then I think you would have had it up—

Mr. MACFARLANE. Well, we would have had it for 2 years now.

The CHAIRMAN. Surely, without a question.

Mr. MACFARLANE. But I do not think at this point, sir, you should consider a study, because we have already had those 2 years.

The CHAIRMAN. Well, but we have had no studies.

Mr. MACFARLANE. Well, the studies have been going on.

The CHAIRMAN. I know. But I mean by our own people or the people that have to administer this, and they tell us of their own personal knowledge or through research that they themselves carry it on and that they cannot come to a decision as to how to administer this; and that is the burden of the reports that we get from the Department of Agriculture: That they would not know how to administer this.

They would have to take the word of other people which they have not tried out themselves.

Do you see the point?

Mr. MACFARLANE. That is right.

The CHAIRMAN. And that is the burden of their argument.

Mr. MACFARLANE. One other point, Mr. Chairman, and then I shall stop:

I am grateful for your giving me your time.

The CHAIRMAN. That is all right. And take your time. I will stay as long as you have anything to say, and I want to get through with the rest of the witnesses today.

Mr. MACFARLANE. Thank you, sir.

Now, Mrs. Stevens was asked a question by Senator Symington, and I was hoping that I might have an opportunity to answer the question or to add to her answer.

He wanted to know why the Jewish people opposed the bill if we felt that the method is humane and had so declared it, if I followed his question; and I believe that one reason, perhaps, for the opposition, as suggested by some of our friends, might be along the economic lines.

Our Jewish brothers pay a premium price for every head of beef that they slaughter. They get the best beef in America. There is no question about that, and I think—this is just a supposition, Mr. Chairman—but I believe, having been raised along with Jewish people and, being a Scotchman, perhaps I may think like Jewish people that if it became necessary for the packers of America in whose plants they were slaughtering the cattle, for these packers to put in this large physical equipment which would cost necessarily a good many dollars, that in most instances the packers might very well feel inclined to raise the costs to the Jewish people, and so I think it is a logical as-

sumption to make, and I think that may be one reason behind their present opposition to the bill; and I just pass that out for your consideration.

The CHAIRMAN. Well, I examined most of the Jewish witnesses who appeared before us day before yesterday, and I do not believe that argument was raised at all.

They felt that this would lead to anti-Semitism, from what I could understand. I do not know if I correctly understood it; but that is what I thought: That they took the position that this would lead here to what other countries do. I think that is the burden of their argument.

Mr. MACFARLANE. And I think they have grounds for it.

In Sweden, they were compelled by law to immobilize their animals by electricity, and I would object to that in this country, but I cannot conceive of our Jewish friends having so little faith in our Constitution as to believe that we might send up some act that might infringe upon their religious convictions.

The CHAIRMAN. As chairman of this committee, I have asked the Solicitor of the Department of Agriculture and, of course, I am going to have our legal adviser of our committee, to thoroughly examine the measure and report to us whether or not there should be that total exemption, and I would probably be guided to some extent by what they say.

Mr. MACFARLANE. Yes.

Thank you.

The CHAIRMAN. Who is the next witness?

STATEMENT OF MOSES I. FEUERSTEIN, PRESIDENT, UNION OF ORTHODOX JEWISH CONGREGATIONS OF AMERICA, NEW YORK, N. Y.—Resumed

The CHAIRMAN. All right, you appeared before us last Tuesday.

Have you anything that you would like to add to the statements made by yourself?

Mr. FEUERSTEIN. Yes, sir.

First I would like to express to you my personal appreciation for the amount of effort and time you have given to try to ferret out what must obviously be a very complicated problem with two sides so dedicated to their points of view and to try to find where the right does lie.

The CHAIRMAN. Well, that comes from years of experience.

Mr. FEUERSTEIN. And I hope that I eventually get some of that.

I wanted, first, Senator, to see if I could cast some light on the question of the confusion that has developed around who represents the Jewish organizations and the statements that appear to have been made that seem to be so contradictory.

The CHAIRMAN. May I make this suggestion before you go into that?

Will you answer the question that was asked by Senator Symington? Do you recall it?

Mr. FEUERSTEIN. Why the Orthodox community is against this bill?

The CHAIRMAN. That is right. For the record.

Mr. FEUERSTEIN. I will be very happy to, for the record.

The CHAIRMAN. And I would also like for you to say or give your reaction to the statement just made by Mr. MacFarlane that it was a question of economics. I would appreciate it if you would proceed to answer those two questions and then you may go on with your own further statement.

Mr. FEUERSTEIN. Yes, sir. Fine.

The main objections of the Orthodox community to this bill arise, No. 1, because committed as we are to the humane treatment of animals, we find that the methods that have been suggested as being humane do not in fact add up to humane treatment and, since they do not, we cannot be in favor of those methods.

The CHAIRMAN. In other words, you find contradiction in the bill in that respect?

Mr. FEUERSTEIN. Yes. And as I outlined specifically last time and, without going into it in detail again, we found that on the method that is known as the "single blow" that very rarely a single blow renders an animal insensible, and that testimony has been presented that sometimes over 20 blows were used; and I think there has been testimony rendered here by a number of authorities to indicate the questionability of using the methods which have been developed until now, or the techniques developed until now, that they do not, in fact, provide the insensibility that the bill claims they do and that would entitle the method to be known as humane.

On the second question, which was electrical stunning, I think that——

The CHAIRMAN. Wait a minute before you go into that.

As I understand the testimony that was presented to this committee—as far as I know—with respect to blows, they pertained to hammer blows and not these new instruments that have been devised by Remington and Schermer; and the testimony that I have heard indicates that there were very few misses except in cases where there was something defective with the cartridge that was used. That is what I recollect to be the record.

Now this testimony you are giving and refer to now, about the 20 misses; where do you get that from?

Mr. FEUERSTEIN. Well, there was testimony given.

The CHAIRMAN. When.

Mr. FEUERSTEIN. Previously, on Tuesday, I believe, and by other people who discussed the efficacy of this requirement of a single blow and whether we could measure up to that requirement, and that testimony did indicate—and that has been the problem that we have had, also——

The CHAIRMAN. Well, I do not recall that, but I will look it up. I do not recall any witness testifying that it required as many as 20 blows with these newly discovered instruments.

Mr. FEUERSTEIN. No; I did not say with these newly discovered instruments. You see, when we drew up our presentation on the basis of the methods that have been developed until now and the experience that we have from observation that was available to us, that amount of experience indicated that we have not reached the level where a single blow is sufficient.

Now today we have heard testimony to the effect that such a method has been developed——

The CHAIRMAN. Pardon me, Mr. Feuerstein. The clerk points up the testimony of Rabbi Lewin who made that statement and in which the Department agreed and the statement pertained primarily to the question of the single-blow method and I think it is agreed by the proponents of this bill that is not perfect.

Mr. FEUERSTEIN. That is right.

The CHAIRMAN. And that out of 100 you might have a few misses, but the fact remains that the testimony shows that they are still experimenting to get greater perfection.

Mr. FEUERSTEIN. Yes; but the law does require it.

The CHAIRMAN. Of course, the law would require it as being humane.

Mr. FEUERSTEIN. That is right.

The CHAIRMAN. Now, as to whether it is the most humane or not, that is what I am worried about in sending this bill to the Senate.

Mr. FEUERSTEIN. And that was the concern we had.

The CHAIRMAN. And I am curious to find out where you got this 20-blow testimony you have given here. Is that by the use of a hammer or any of these instruments?

Mr. FEUERSTEIN. Well, in order to get a more specific answer to that I would like to defer to Dr. Lewin.

The CHAIRMAN. Where did you get that? You made the statement.

Mr. FEUERSTEIN. This statement was prepared together in our committee and you will remember when I spoke last time I had with me Rabbi Sharfman and Mr. Brennglass, so if you would be kind enough, I would defer to them.

The CHAIRMAN. I will defer; but whenever a witness makes a statement of that kind he ought to be in a position to back it up, because I have not heard such testimony as that before.

Mr. FEUERSTEIN. Well, in fact I made it on——

The CHAIRMAN. I mean the testimony about the 20 blows. Did you make that testimony on Tuesday?

Mr. FEUERSTEIN. Yes.

The CHAIRMAN. Well, I did not hear it, I guess, because I do not remember it.

Mr. FEUERSTEIN. It is in the record.

The CHAIRMAN. All right, I do not recall even mention of that. I am sorry. Proceed.

Mr. FEUERSTEIN. The second method I think that has been discussed here, and I think very thoroughly, is the electrical stunning about which I think enough testimony was presented to indicate a great deal of work in that respect also has to be developed.

On the question of the chemicals, we presented testimony to the effect that in the case of turkeys, for instance, and cattle, chemical stunning has produced asphyxiation with the fowl and cattle being exposed to great succeeding torture. As to other means, that has no particular meaning since the law does not specify what they are. That would be one of the objections that we have to the bill.

The second that I mentioned was that the bill permits Jewish ritual slaughter but then it proceeds to take the question of preparation and to declare that that has no relationship to Jewish ritual slaughter and——

The CHAIRMAN. Well, is that not true?

Mr. FEUERSTEIN. It is true to a certain extent.

The CHAIRMAN. To what extent is it not true?

Mr. FEUERSTEIN. Well, sir, the extent to which it is not true is that by creating restrictions on how the animal must be prepared it could make the situation almost impossible for production on a mass basis and that is what we are afraid of in this bill. In other words, there can be an illusion created, that although kosher slaughter is allowed it is so bound up in the preparatory steps, as Senator Thye mentioned, that it would be either practically very difficult or because, for other reasons, it would be found that there just would not be packers who would do it.

The CHAIRMAN. Well, as I pointed out a few days ago, section 6 reads:

Nothing in this act should be construed to prohibit, abridge, or in any way hinder the religious freedom of any person or group to slaughter and prepare—is that not covered?

Mr. FEUERSTEIN. Yes, sir, except that, as I remember, you asked that question very directly to our counsel and our counsel reported to you that although the words are as you stated they were, that the interpretation of them often is such that the courts do not make a literal interpretation and that, furthermore, the legislative intent behind the bill is that the present forms of preparing the animal are in fact to be declared illegal.

The CHAIRMAN. Well, I want to say frankly to you, Mr. Feuerstein, that I do not see why you and others of your religious belief believe that no language can be placed in this bill to totally exempt—in other words, to not interfere with your religious freedom, and that is why I asked the Solicitor of the Department of Agriculture as well as our own attorney, our legal adviser, to study this bill and find out whether or not you are totally exempt.

Mr. FEUERSTEIN. Now, you put your finger on it, Senator. Right now that is our problem. I have mentioned that the restrictions which the Department of Agriculture would be empowered to make on the preparation of the animal are such that we fear that it would be in a position to make the freedom to slaughter religiously an illusion, and I would like to bring it one step further, with your permission.

The CHAIRMAN. Surely.

Mr. FEUERSTEIN. In the legislative intent and according to the testimony of the proponents of the bill given here today it has been stated that the most humane method of slaughter would be the Weinberg pen.

We have objected to the Weinberg pen, No. 1, because it has never been in use in this country and therefore it is a kind of a solution that certainly is not very realistic; but more seriously we object to the Weinberg pen because the humane societies in the United States are associated with the humane societies in England and all over the world in an international association of humane societies and at the very moment that the humane societies in the United States are proposing the Weinberg pen as the most humane, we showed you caricatures of the Weinberg pen being put out by the royal society in England which declare that to be so cruel, that it has led its people to put out the

most anti-Semitic literature seen in the world since the war—and wouldn't that create a source of worry in your mind?

The CHAIRMAN. Well, we will let the record speak for itself. I believe that is your main objection, is it not—it is not economic?

Mr. FEUERSTEIN. That is right, it is not economic.

The CHAIRMAN. But that is going to be used in the future, in a way, to restrict you?

Mr. FEUERSTEIN. Restrict. You see, we are being pushed into the corner of using the Weinberg pen, which is where the English societies pushed the Jews in England in 1932 and then after they had been installed they proceeded, after 23 years of constant pressure, to declare that it is most cruel—now, what will it be if that is taken away?

The CHAIRMAN. Go ahead. I get your point.

Mr. FEUERSTEIN. I would like to revert to my first point which was the representation of the American Jewish community. As I mentioned in my testimony the first time there are about 5,500,000 Jews in America, the majority of whom are interested in kosher ritual slaughter for religious reasons and it is they whom we represent, in addition to a great many who are worried about this kind of legislation for reasons we have just discussed.

All of the Jewish organizations that were mentioned here before were all united in their opposition to this bill but as brought out in testimony by Mr. Brennglass and by Rabbi Sharfman, pressure was exerted by the proponents of the bill both in the House and Senate to the effect that if a compromise in the Jewish position was not achieved then the bill would be passed over the objections of the Jewish community with the probability that there would not be adequate protection for Jewish ritual slaughter. It was there that a split was forced in the Jewish community because those who felt the threat was one that they could not afford to cast aside, went along with the compromise bill, unwillingly. They never became proponents of the bill as stated by well-meaning people, but that was the fact and the record will indicate that those of who stood on principle refused to go along—

The CHAIRMAN. In that connection, you heard Mr. Myers testify?

Mr. FEUERSTEIN. I did.

The CHAIRMAN. And he put in quite a long time trying to get the various Jewish organizations together and he got agreement—I think he mentioned the name of Mr. Pfeffer.

Mr. FEUERSTEIN. Yes.

The CHAIRMAN. Do you know him?

Mr. FEUERSTEIN. Yes.

The CHAIRMAN. Do you know what his position is at the moment; is he for this bill?

Mr. FEUERSTEIN. He never was for the bill, none of the organizations he represented were ever for the bill, but, as a result of the threat, that unless they went along with some kind of a compromise position the bill would be passed, they decided to go along not as proponents but also not as opponents.

The CHAIRMAN. Well, did they use the word "threat"? Are you sure of that?

Mr. FEUERSTEIN. Well, let me see if I can read it from the record over here.

The CHAIRMAN. I wonder if you would be good enough to get in touch with Mr. Pfeffer and have him write to this committee what his present views are on this bill. I think it is important in the light of the testimony this morning by Mr. Myers.

Mr. FEUERSTEIN. I would be happy to, Senator.

The CHAIRMAN. Also in the light of your own testimony. You may proceed.

Mr. FEUERSTEIN. Reference was made by Mrs. Stevens that certain designated Jewish organizations were in favor of the proposed legislation. That was on page 325 and this is the testimony by Mr. Brennglass:

I might say by way of preface that I served as chairman of the ad hoc committee in which all Jewish organizations were cooperating in opposition to the pending legislation.

As such chairman, I think that I can categorically deny the statement that Mrs. Stevens has made that the five designated Jewish organizations have approved the legislation.

I believe that would apply also to the statements made by Mr. Myers.

I refer specifically to a letter which was sent out over the signature of the authorized representatives of these five organizations under date of February 20, 1958, to Congressman Poage in the House of Representatives.

The signatories to this letter are the following organizations: The American Jewish Congress, which is Mr. Leo Pfeffer's organization; the Rabbinical Assembly of America, which is the conservative group; the Central Conference of American Rabbis, which is the reformed; the Union of American Hebrew Congregations, which is the lay reformed; and the United Synagogue of America, which is the layman's group of the conservative.

And I may give you very briefly the background of each of these organizations.

The CHAIRMAN. Before you do that, are there any other organizations who favor this legislation?

Mr. BRENNGLASS. I know of no national Jewish organization which has come out in favor of the bill.

The American Jewish Congress, as was pointed out earlier today, is an organization of organizations. As late as last week, at a meeting which I attended, the authorized representatives of the American Jewish Congress stated that they were not in favor of this legislation and have never given the consent thereto.

The Rabbinical Assembly of America is the rabbinical arm of the conservative movement in Jewry, while the congregational arm of conservatism is the United Synagogue of America.

The Central Conference of American Rabbis is the rabbinical arm of reform Jewry, and its congregational or lay body is the Union of American Hebrew Congregations.

In this letter of February 20 that I have just referred to, the following statement is made: "Referring to the undersigned organizations, Congressman Multer said during the debate: 'We are in favor of and support this.'" Congressional Record, 1431.

This statement is inaccurate. "As you correctly stated, we were opposed to H. R. 8308 in the form in which it was originally introduced. As stated in the letter from Dr. Leo Pfeffer to you, dated January 29, 1958, in its present amended form we do not oppose the measure. However, while we do not oppose the measure as amended, we are not proponents of the bill. We are sure you understand and appreciate this distinction."

The CHAIRMAN. Well, that does not mean he is against it?

Mr. FEUERSTEIN. Well, the background of being for or against was brought out to you, as Mr. Brennglass did—that arose from the cleavage that was created when the pressure was exerted.

The CHAIRMAN. Who exerted that pressure? I would like to know, if you do; do not give me any hearsay, now.

Mr. FEUERSTEIN. No. I was trying to find this letter over here that was quoted.

The CHAIRMAN. Because I would term that a rather serious charge. If you know, of your own knowledge, give me the names of those who pressured and the names of those who were pressured. I would like to have them, as this charge is serious enough, I would like to have them appear before this committee.

Mr. FEUERSTEIN. There was a quotation here which I am having difficulty in finding. Here it is on page 359:

Mr. SHAFERMAN. May I also read a paragraph from the letter sent on March 25, 1958, by Congressman Poage to Senator Humphrey:

"I was particularly impressed with the clear and effective way in which you pointed out that in the absence of legislation of the type you and I are trying to get, that it will probably be far more likely that the Congress will pass some type of punitive legislation, completely ignoring the legitimate requests of our Jewish citizens. I think this would be unfortunate, but I think it is likewise inevitable."

Senator, it is communications like this—and I read it in no sense in trying to impugn either the good intentions or the character of Senator Humphrey or Congressman Poage—we respect them very, very highly, and we know that they have been trying to do their best as far as the Jewish community is concerned—but as a result of this, Senator, a segment of the Jewish community got to work and began to suggest certain language, but maintaining all the time and we hope that the record will make it clear that they are not opposed to this legislation, but in no way are they in favor of this.

The CHAIRMAN. Well, that does not make any sense; you are not opposed or in favor of it.

Mr. FEUERSTEIN. They are not opposed to it but they are not in favor of it and they are suggesting the amended language in order to avoid a situation which they were told by the letter I just read would take place if they did not come through.

We as the representatives of the orthodox community said that we were going to stand on principle and we were going to come down and insist upon being heard in the Senate by the authorized committee and to state our position forthrightly and that was why we appeared over here and you will find as a matter of record a number of the organizations such as the American Jewish Committee have put in letters in support of our position and other organizations that I do not care to mention because they took positions over here which we have just discussed, are also supporting us in our effort.

Now, I want to proceed with your permission to another area.

The CHAIRMAN. Well, before you proceed to that area, are you in a position to back up your charge of force being used?

Mr. FEUERSTEIN. I thought that I did.

The CHAIRMAN. You mean just this letter?

Mr. FEUERSTEIN. I thought that this letter represented, through its contents—

The CHAIRMAN. Pressure?

Mr. FEUERSTEIN. A statement by the writer of the kind of persuasion that had been used and summed up to indicate that he thought it was very wise that the organizations had acceded.

The CHAIRMAN. Well, your statement then in respect to pressure being used stems from letters of the character you just read?

Mr. FEUERSTEIN. Correct.

The CHAIRMAN. Proceed.

Mr. FEUERSTEIN. My colleagues will make more learned mention to the reference that the opponents of the bill have continually made concerning hoisting and shackling—that it is inhumane—and we maintain that as it is practiced in kosher slaughterhouses it is not inhumane but that it is in fact a humane form of slaughter.

The CHAIRMAN. You mean, that is the throat-cutting part?

Mr. FEUERSTEIN. No; the preparation of the animal, by raising it up on its hind legs for a very short period so that the animal will then be in a position to be slaughtered and so that the blood can drain with the utmost quickness.

The CHAIRMAN. In other words, the method referred to does not use the revolving—

Mr. FEUERSTEIN. No; that does not use the Weinberg pen, but they hoist, and it is the intention of the proponents of the bill to outlaw that form of preparation as inhumane, the hoisting of the animal.

The CHAIRMAN. I understand.

Mr. FEUERSTEIN. Now, there was reference made by the proponents of the bill to the activities of the humane societies where I felt the seeds of a solution are present in a very encouraging and democratic way.

The proponents stated on different occasions that if they are not successful in getting the bill passed they will proceed on their own to alert their membership not to purchase from concerns that they feel are slaughtering animals inhumanely. I would suggest, Mr. Senator, that in this idea there is the possibility of a solution in a way which would quickly bring about in my opinion the results that they might want in a democratic way and without entering into the area of legislation.

With that, Senator, I would like to thank you for the kind consideration you have given us.

STATEMENT OF RABBI ISAAC LEWIN, MEMBER, EXECUTIVE COMMITTEE, UNION OF ORTHODOX RABBIS OF THE UNITED STATES AND CANADA, NEW YORK, N. Y.—Resumed

Mr. LEWIN. Senator, I would like very briefly, with your permission, to dwell on two aspects of the problem.

First of all, may I say that I am rather surprised to see so many distinguished and honorable gentlemen and ladies speak on methods on which they are not experts.

I must say that the question of electrical, chemical, and mechanical stunning on the —

The CHAIRMAN. Pardon me, with all due respect, I do not think that they posed as experts. What they did was to quote from experts.

Mr. LEWIN. That is right; and that I do not mean. I will tell you in what respect I feel that, that everybody who comes to this committee—and after all this is the highest forum for presenting our requests and our opinions, this is a committee of the Senate of the United States—should be very reluctant in suggesting anything that could not be proved by facts—and facts include the scientific evaluation. Problems such as the stunning of the animal belong to the most complicated matters of physiology. The impression which one gains from stunning methods is not so simple that one could come to you and say “this is how it is.”

Professor Dukes, one of the greatest scientists in America in this field and head of the department of the New York Veterinary College of Cornell University, writes in a statement that I submitted to you as follows:

An uninformed person watching the reactions of an animal dying from severe hemorrhage could draw erroneous conclusions with respect to consciousness and pain. The correct interpretation of the reactions requires fundamental knowledge of the anatomy and physiology of the animal, particularly as applied to the circulation, respiration, and nervous system.

I am a rabbi, a professor of history, and I have devoted a number of years to writing books in the field of the explanation of methods of slaughter, but I have never suggested and would never state that you should take my views as to the humaneness of the method of stunning. Nobody can say that he knows when the animal has pain. Nobody knows exactly what really is the pain of an animal. Sometimes the animal's reactions are only reflexive movements. When an animal is being hoisted, or when an animal that is being slaughtered, we see such reactions that in our uninformed opinion we could consider as a sign of pain but it is not that; they are reflex movements.

Originally I was honored by the Jewish community to come and testify before Congress on behalf of 22 organizations representing a united front——

The CHAIRMAN. How many of those organizations are there?

Mr. LEWIN. There are probably not more than 2 or 3 of importance——

The CHAIRMAN. Outside of the——

Mr. LEWIN. Outside of the 22. When I came back from Washington in 1957, after my testimony before the House committee, I was asked by the others, "Why did you not tell us you were going and we would have been glad to give you authority to speak also on our behalf?"

There was no difference of opinion in 1957 how all the 5 or 6 bills before Congress have to be evaluated. I had with me Mr. Pfeffer as my counsel. Mr. Poage was in the chair. I have here the report on the hearings which I am sure, Senator, you have, too. There was no difference of opinion among us. When I finished my testimony Mr. Poage said, "Do you have any suggestions to make; would you suggest any other language?"

Mr. Pfeffer and myself promised to give an answer in writing. We went to New York and sent to Congressman Poage a letter in which we said that we are in no position to suggest any language. We stated that this was our reaction on behalf of the Jewish organizations with regard to the bills before Congress.

The CHAIRMAN. Well, now, are you not the witness that testified here Tuesday that as far as you knew every Jewish organization was opposed to this bill?

Mr. LEWIN. I submitted the statement of the American Jewish Committee and my friends Mr. Brennglass and Rabbi Sharfman had authority to speak on behalf of their organizations. Also there was the testimony read on behalf of the American Jewish Congress. It was clearly stated that the American Jewish Congress does not come out in favor of this bill.

The CHAIRMAN. What have you to say about the statement just made by Mr. Feuerstein that certain Jewish organizations were pressured into accepting this language?

Mr. LEWIN. I am entirely in accord with Mr. Feuerstein and I think he gave you the full evidence by the letter he read into the record.

The CHAIRMAN. Well, when you speak of being pressured, how is that done?

Mr. LEWIN. Oh, Senator, if Jewish organizations have 2 alternatives before them, 1 that the bill will be passed over all objections which have been raised legitimately by the representatives of Jewish organizations, or they have to submit some kind of an amendment, then some of them may say "Let us submit one——"

The CHAIRMAN. In other words, get the best you can?

Mr. LEWIN. Get the best you can. But we, for whom this is a matter of utmost importance in practical life, we cannot agree to that. Senator, you may take my word, and I have two distinguished rabbis with me representing two of the greatest rabbinical organizations not only in America, but in the world, who will confirm this, that if this bill will pass, not only will some of our fears be truly justified but hundreds of thousands if not millions of American citizens will abstain from eating meat; they will be forced into a situation where the consumption of meat will be impossible because there is no way how you can force a Jew to forgo and forget an obligation which he has according to the ritual of the Jewish law. We would rather starve than eat meat which is ritually prepared improperly and therefore, you understand, Senator, the kind of importance we attach to this legislation.

The CHAIRMAN. Well, I sympathize with the views just expressed but yet as I stated Tuesday, I cannot for the life of me see why it is that this committee could not put language in the bill that would entirely exclude you or protect you—and you say it is impossible?

Mr. LEWIN. I'll tell you why. I have in my statement which you have a separate chapter showing that practically it will be impossible—and I don't want to repeat it.

The CHAIRMAN. No.

Mr. LEWIN. I am only going to tell you that the execution of a bill of this kind is entirely in the hands of the Department of Agriculture.

The CHAIRMAN. Yes.

Mr. LEWIN. The Department of Agriculture takes into consideration section 2 (b) that exempts or declares that the Jewish method is humane, including section 6, which says that nothing shall be construed to prohibit, abridge, or in any way hinder the religious freedom, but the Department of Agriculture nevertheless has officially stated to you in a letter which I quoted in my testimony, as follows:

In view of the language of sections 2 and 6 of the bill, the remarks made during the discussion of the bill in the House and the lack of knowledge with respect to the Weinberg pen, it is difficult for this Department to determine what administrative action would be appropriate if this bill becomes law.

Evidently we will not be able to handle those animals before slaughtering as required by our religious law.

At least there are such fears. If this would be a certainty, the whole bill would be unconstitutional. You will agree that nothing

could be done to enact legislation which is against the constitutional freedom of religion. Here it is in such a way formulated that we are later in the hands of an official of the Department. We feel that we have not sufficient protection here. And, indeed, it cannot be satisfactory to us, because we feel that in such a country as America, this beloved country of ours, we deserve to have full liberty and full freedom.

I am happy, indeed, to see that even our distinguished opponents of today admitted that shehitah is a humane method, and that there is no doubt whatsoever about it. I have quoted in my book, which was published in 1946, about 800 testimonies on the humaneness of shehitah. Now, 50 or 60 are included in my testimony before the House committee. I have in my possession more, but I don't think it is necessary, because if our opponents or the proponents of the bill say it is humane, the question is proved to everybody's satisfaction.

How is it with the other methods? If we speak about electrical stunning, I note that British, American, and other experts question the humaneness of electric stunning. And I don't think that the Department of Agriculture in the United States would prohibit electrical stunning if it would not be absolutely necessary. The physician who must make the post mortem examination of the animal has the carcass before him, and if he finds lesions which are produced either by sickness or electrical stunning, he must absolutely disqualify that carcass. Mr. MacFarlane and Mrs. Stevens have said that in the European countries, electric stunning is practiced, and they are proud that no country except Denmark has abolished this system. But it takes time to find out exactly what is right. And I don't think in those countries they care as much for the welfare of the population as we do in this country. If the Department of Health has written to you that there is a doubt of this meat coming from electrical or chemical stunning being good for the health of our population, can we then say that we will learn from England or from the Scandinavian countries, who do not want to check whether it is good for the health of the population? I am proud that America is checking. And I think we should be grateful to the Department of Agriculture that they are taking these aspects into consideration, bringing them to the attention of the Senate.

The CHAIRMAN. I don't think they expressed the idea that it is unhealthy, but they did say that there was a little knowledge that they themselves had learned from research.

Mr. LEWIN. May I quote, Senator, with all respect.

Mr. CHAIRMAN. I am talking about the testimony, I am not talking about the letter.

Mr. LEWIN. But the letter is quite clear.

The CHAIRMAN. Yes.

Mr. LEWIN. Now, if I may go to the other aspect, there is no doubt that we are for humane slaughter. I said 2 days ago, that in the Bible and in the subsequent writings of our great sages we were told time and again to be kind and humane to animals. And I realize that it must make quite a curious impression on the Senators if we come here and oppose this bill, because we are for humaneness to animals. We taught the world to be humane to animals. I have given in my testimony so many quotations, that I don't think any-

body will deny it. But our experience with such legislation is very sad. And it was mentioned here—I believe Senator Symington asked—if in Europe there was anti-Semitism behind this legislation.

I would like, sir, to give you one quotation from my book which I published on the religious practice of shehitah, I didn't want to do it before, because it really is just shocking even to compare, to put at one end of the table something which happens in America and at the other end of the table something which happened in a country like Germany. However, because Senator Symington has already mentioned it, I think it should be read into the record.

When the Germans occupied Poland during the last war, the first thing which they proclaimed was to prohibit shehitah. I would like to quote their regulation:

In any territory under German rule, cruelty to animals of any kind is not permissible. Effective immediately, therefore, shehitah, the painful slaughtering of animals by means of the gradual draining of blood for the purposes of so-called kosher meat consumption, is prohibited. This is to go into effect immediately. Any person guilty of shehitah is punishable by an imprisonment for not less than 1 year.

And they say:

The prison sentence may be served in concentration camps.

That is how they acted in Europe: "Kindness" to animals and concentration camps for human beings.

The CHAIRMAN. Under Hitler?

Mr. LEWIN. Under Hitler.

Now, this is no precedent. I don't want to say that anyone in this country thinks of any such possibilities.

The CHAIRMAN. Do you know of any other country in Europe other than Switzerland—I think Switzerland is the one which is mentioned—

Mr. LEWIN. Switzerland has done it, as I showed in this book, in 1893.

The CHAIRMAN. And you consider it antisemitic?

Mr. LEWIN. It is antisemitic, and I have given a clear evidence in my book. Switzerland is a trinational country; there are Germans, French, and Italians there. I have studied exactly the results of the vote. It was a popular vote, in Switzerland every law of this kind must pass a popular referendum. Now, in the German cantons it was overwhelmingly voted for. The French and the Italian cantons voted against this bill. But the German cantons of Switzerland have the majority and, therefore, they outvoted it. There was a terrific anti-Semitic propaganda among the Germans, and they got it.

The CHAIRMAN. Does your book show any country other than Switzerland that took action?

Mr. LEWIN. Norway has done it, but it is interesting that they have done it under the influence of Nazi propaganda, because the man who forced this bill into law was a certain Jens Hundseid and he was later the prime minister of a government in which Vidkun Quisling—this is a very infamous name—was a member. This shows already how this was done. But I don't want to go into details.

The CHAIRMAN. What have you to say about the statement made by Mr. MacFarlane this afternoon that he thought that the opposition of Jewish organizations was based more upon economics, that is,

that it would increase the costs of meat, and, therefore, that caused opposition.

Mr. LEWIN. Senator, with all respect, and all friendship to Mr. MacFarlane, I think he is mistaken. I am very familiar with the situation—

The CHAIRMAN. You heard him say that.

Mr. LEWIN. I heard him say that, and I am surprised that he brought up this argument, because I am sure that if Mr. MacFarlane will give it a second thought, he will come to a different conviction—

The CHAIRMAN. I hadn't heard it before.

Mr. LEWIN. Neither did I. And I think he is mistaken; there is no economic reason for our position.

I wanted to cover these two points. First of all, we should really have confidence in scientific experts who say that we should not rely on your visual impressions. Second that our fears are based really on something which is very well founded in our experience.

And may I conclude by showing to you, that even assuming good will, on the part of our opponents, they are bound to make mistakes.

The other day I got a letter from a rabbi in Detroit, Marshall L. Goldman. And he sent to me a pamphlet which was published by a group called Society for Animal Protective Legislation, 745 Fifth Avenue, New York. I submit this pamphlet to you. There is a picture herein—the shehitah is not mentioned—but they give here a picture of a slaughter of a lamb, and they say it is cruel, and so on.

Now, this picture is from Detroit, and it was sent by Rabbi Goldman.

The CHAIRMAN. What is the Society for Animal Protective Legislation?

Mr. LEWIN. I haven't the least idea, I only know that Mrs. Stevens is the secretary.

The CHAIRMAN. Does anybody in the room?

Mrs. STEVENS. I am the secretary.

The CHAIRMAN. That is the one?

Are you familiar with this?

Mrs. STEVENS. I am certainly familiar with it.

The CHAIRMAN. Will you look at it. We may want to ask you something about it.

Mr. LEWIN. This picture, Mrs. Stevens, was sent in by a rabbi, Marshall L. Goldman, 3032 Sturtevant Avenue, Detroit, Mich. And the rabbi says—

I am 1 of 14 shohetim working at K. Shapiro, Inc., in Detroit.

Several weeks ago a photographer from General Mills Foods took a series of pictures, one of which shows me ritually slaughtering a lamb. This picture has been appearing in pamphlets with the caption that it is inhumane. These pamphlets are being distributed through the mails by the Society for Animal Protective Legislation, 745 Fifth Avenue, New York, N. Y.

Many gentile workers at the packing plant, and others whom I don't even know, have come to me saying that they recognize me from these pamphlets.

The management at K. Shapiro, Inc., did not give General Mills permission to photograph or use these pictures for this purpose, nor did I.

It doesn't say that this is shehitah, because in my opinion it is a picture taken after shehitah, they could put this lamb up on its hind legs later. And they are distributing pamphlets all over the country showing the cruelty of this picture. Do you Senators think that we can have confidence, with all due respect to the ladies and gentle-

men who have appeared here so eloquently for the humane societies, that one moment after they achieved what they are trying to achieve, that they will not come in later and say, this is shehitah, when they are doing it now, without calling it by name?

Therefore, we feel that we are entitled as citizens of the United States, as loyal citizens, as citizens who would do whatever is possible for this country, give their lives for America willingly, that we are entitled to have you reject this bill, because there is no reason for this bill whatsoever. There is no evidence, no scientific evidence for it. It impairs our religious practice. And we certainly feel that the Senate has to give us this full freedom of religion which, as I have already mentioned, is granted to us by the Constitution.

Thank you, Senator.

SUPPLEMENTAL STATEMENT FILED BY MRS. DOROTHY DYCE, DETROIT, MICH.

One day in the latter part of December 1957 I telephoned K. Shapiro, Inc., at 2800 Standish Avenue, Detroit, Mich. I talked to Mr. Maurice Shapiro and asked his permission to take photographs of their lamb slaughter operation.

I specifically asked him if his slaughter operation was "regular commercial slaughter." Mr. Shapiro assured me that it was. He made no mention that they did any kosher slaughtering in their establishment.

Mr. Shapiro consented to let me take the pictures and did not ask me who I was or for what purpose the pictures were to be used. He merely asked if I was going to take them myself. I told him I was not, and that I would send in a photographer. He then told me that would be advisable unless I had a strong stomach.

I was extremely careful to ask him if it would be "regular commercial slaughter," because I did not and would not want to take pictures of any religious methods of slaughter.

I then telephoned a commercial photographer and asked him to go to K. Shapiro, Inc., at 2800 Standish Avenue and take pictures of their lamb slaughter operation.

When the pictures were developed I sent them to the Society for Animal Protective Legislation in New York City. I donated these pictures to them with the thought in mind that perhaps they could be used for a folder to inform the public of the conditions existing in our slaughterhouses.

I am not versed in ritual slaughter; it has always been my impression that there is a great deal of dignity in connection with religious ceremonials and I did not conceive that a man in a cap and butcher coat could be a rabbi connected with a religious order.

If this picture represents kosher slaughter, then Mr. Shapiro's statement to me that it was "regular commercial slaughter" was inaccurate—unless kosher and regular slaughter are considered as one and the same in some packinghouses.

The CHAIRMAN. Any questions?

All right, Rabbi Sharfman.

STATEMENT OF RABBI SOLOMON J. SHARFMAN, PRESIDENT, RABBINICAL COUNCIL OF AMERICA, NEW YORK, N. Y.—Resumed

Mr. SHARFMAN. Thank you very much, sir, for your patience.

I believe most of our case is in. Senator, there are just a few points I want to make personally. I have enjoyed these hearings, and have greatly received a liberal education at them. I have particularly paid attention to the way in which you have conducted the hearings, and also the various speakers, who have been very courteous and understanding of each other.

May I say that one of the reasons that prompted me to appear here was the atmosphere that was created, perhaps unmeaningly, by some

who have spoken and have previously written concerning this legislation. In the racket and also in subsequent communications reference has been made to a small group of orthodox rabbis who are opposed to this. And I am a little fearful when I hear that expression, because there is no such thing in America and among Jews as the rabbis being a separate from their communities. And if you hear rabbis speaking of concerning a certain matter, usually they are reflecting the feeling of their communities. If I hadn't come here to speak up on behalf of our point of view concerning this legislation, not only in my own community, which is a very large community, would have had my head, would have been responsible for the entire future of the Jewish community in this country.

Perhaps letters that have been written to us should have been directed elsewhere, although, Senator, you have referred to pressures that have been exerted on this committee. We have had numerous letters from all over the country asking us, "Why do you remain silent, why is it that perhaps only 1 or 2 individuals speak up concerning our position?" And consequently, we have come here.

I was happy to note one thing, that progress has been made in this country in the improvement of humane methods of handling animals. Sometimes percentages have been quoted. I don't remember the exact figures, and consequently I shall not repeat them. But I have heard some very large organizations mentioned as introducing the humane methods for slaughter. Senator, the primary fear that we have—and when I say "fear," it isn't the rabbi's, it is the Jewish community—and the vast majority of the Jewish community do observe the dietary laws, and shehitah is one of the fundamental principles of the Jewish faith, without which dietary laws cannot be observed. We are concerned with the legislation, primarily, not with the introduction of humane methods in the various slaughterhouses, first of all, because legislation has caused this trouble in the past; second, even the introduction of legislation here has given rise to some of the circulars that have been spread over the country, and has given rise to statements such as those referring to a small group of orthodox rabbis. And may I say parenthetically that I resent a little hearing a fine lady mentioning here before this committee that perhaps it was the fact that orthodox rabbis couldn't understand English, perhaps for that reason that we were opposed to the legislation. I don't doubt that there was no malice behind what the lady has said. But certainly it is not true. We understand very well, and the Jewish community understands very well what the nature of this legislation is and also understands the fears that we possess.

You have asked several times, Senator, "What are the pressures?" When we speak of pressures, we don't mean pressures from the standpoint of force of pressures exerted upon us personally. When we speak of pressures, we mean advice given to us by very well meaning individuals time and time again, by letter, by word of mouth, by legislators, by members of humane societies, by friends that we have in the community, say, if you do not accede to the legislation now before the House, or as is the case here, now before the Senate, you are going to have a bill which will mean that shehitah will become impossible here. And it is because that has been hammered at our com-

munity time and time again, that statement has been made, that there is a group that says—and you have pointed out the paradox in the approach—a group that says, “We do not oppose, but we do not favor.” What do they mean when they say they do not favor but nevertheless do not oppose? By “not oppose” they mean they fear to oppose the legislation vociferously, to come out against it, because if that kind of opposition were taken, they feel eventually legislation would be enacted without the protection for shehitah, which they hope to obtain from the bill that is being presented at the present time.

The primary difference that we have with this bill, Senator, is the following: Not so much in the actual act of slaughter, but, as you pointed out before, the provision that relates to handling. The handling provision—and we see no way of correcting it, and we see no way of placing protection around it—that handling is a stumbling block for us.

On the one hand, we say that raises the implication that the handling as it now goes on is inhumane—and again let me say, Senator, and repeating something that Dr. Lewin said a few minutes ago—the fact that something may appear to be inhumane it doesn’t necessarily mean that it is humane. In Jewish law if that animal that is hung suspended were to be bruised backward or a bow were broken, it would actually be unfit for Jewish consumption. If there were various lesions within the body that would appear in the lungs or various other parts of the body caused by the pain as a result of the suspension, it would be unfit for Jewish consumption. Consequently, the methods that have been used aren’t necessarily inhumane, and we cannot say that the implication is correct that they are inhumane. It has been pointed out that up to the present time the one that would be permitted to us as a proper method for holding it would be the Weinberg pen. I think Mr. Stevens has mentioned that the Weinberg pen is used even in England, a country which utilizes it only for the larger animals, not for the smaller animals. And I think Senator Thye pointed out the question that would arise with reference to the treatment of the smaller animals. What would you do? Would you shackle them, would you hoist them? Would you make similar objections to them as you are making to all animals?

One further point, Senator. If the animal were to be rendered unconscious prior to shohet, the method of ritual slaughter of the Jewish faith, if the animal were rendered unconscious, and thereafter slaughtered, it would be unfit for Jewish consumption.

Consequently the gassing or the electrical stunning would not be permissible in accordance with the Jewish law. Therefore, some method of handling would be necessary.

One further point, Senator. We fear legislation for a further reason. Legislation means that we are an exception. We want humane slaughter. We are happy to note that large corporations are instituting more humane methods voluntarily, and we say “voluntarily” just as the motion-picture industry regulates itself.

Why can’t there be self-regulation on the part of the slaughterers? Why can’t there even be regulation on the part of the Senate? Why can’t the entire country be made to feel voluntarily that there should be humane slaughter?

But when the legislation is on the books and one group is singled out and it is excepted, the very fact of an exception places us in the lime-

light. And thereafter individuals or perhaps groups may label our methods as being inhumane, and may direct anti-Semitic attacks against us.

Senator, even in the United States of America from time to time individuals or groups have raised the anti-Semitic question. But thank God in the United States of America the vast majority of the people, and certainly the Congress, have never permitted legislation or any action on the part of the Government itself that could in the slightest bring about anti-Semitic attacks.

And here is the first instance in which we have been riled so much, because this really threatens an anti-Semitic attack.

Again, in conclusion, Senator, I want to thank you and the members of your committee for having accorded us the privilege of appearing here and presenting our point of view.

I hope that the country will learn from the discussion that has gone on here the importance of humane slaughter, and that more and more packing will adopt voluntary methods for humane slaughter. And I pray to Almighty God that it will not be necessary by compulsion, by legislation, to bring about high morality in this country.

**STATEMENT OF RABBI PINCHAS TEITZ, MEMBER OF THE PRESID-
IUM, UNION OF ORTHODOX RABBIS, NEW YORK, N. Y.—Resumed**

Mr. TEITZ. Mr. Chairman, I wish to join my colleague, first of all, in expressing our appreciation and commendation for the very objective attitude in which these hearings have been conducted.

Since I am the last speaker, I would like to give a brief summary, and also some observations.

We came here not only to state our position, but also to listen and to learn. And it seems to me that at this time I doubt whether the committee has a clear picture of the Jewish method of slaughtering. I therefore, before I proceed would like to just give you a brief description, so that the committee will know exactly how the Jewish method of slaughtering works.

In my community there are 3 slaughterhouses, which have a production of approximately 200,000 cattle, half a million sheep, and about 40,000 to 50,000 calves.

As the rabbi of the community, it is my duty to supervise and I visit the slaughterhouses at least once a week. I have been doing that for the past 25 years.

The CHAIRMAN. Do these slaughterhouses do butchering for anybody else, or are they exclusively for Jewish?

Mr. TEITZ. They do both, they do kosher and nonkosher.

But with regard to the cattle, the steer is driven into a narrow chamber, and there is a door which is split in half which opens. The animal is driven into a narrow chamber and there is a man who shackles the animals and hoists it by electricity approximately 3 feet up the way for the shohet, that is, 2 men, who are authorized to perform the Jewish ritual of shehita. Those two men have to prepare their knives and are in preparation before the animal is hoisted. As soon as the animal is hoisted, one of the shohet comes over and cuts the throat.

The production is approximately at the rate of 75 an hour, which means that the entire process from shohet, hoisting and cutting the

throats, takes less than 45 seconds. That has been going on for the last 10 years before the work at the lesser speed.

Now, as soon as the throat is cut, the animal is pushed into a bleeding area. The animal is rendered unconscious immediately, as soon as the cut is performed.

We have two, for the reasons that in case they like to have more speed, they will have it so that the animal will not have to wait to be cut.

And one animal at a time is hoisted, so that the animals do not see how the others are cut, because the animals, as I mentioned before, do not face the killing fore, they face backward.

Now, according to the Jewish law, the animal must be in perfect health prior to slaughtering.

The animal should not be rendered unconscious. And if the animal should be damaged in any way we cannot use it, even if it will be cut according to the Jewish ritual that animal will not be permitted to be used by religious people.

So that any preparation which may damage the animal, may injure the animal, or may render it unconscious, would be tantamount to prohibiting the Jewish way of slaughtering.

As I mentioned before, we are here, also, to listen. Our position was based primarily on two points. First, that it infringes, and that it endangers our freedom of religious practice.

And secondly, that in all the so-called humane methods that are suggested here, we have a doubt, and our doubt is based on some scientific testimony, whether it actually lessens the pain of the animal or it really lessens the pain of the person watching it. In other words, it may conceal the pain of the animal, but it may not lessen it.

We feel that we cannot jump in, so to speak, hastily into such legislation unless it is proven beyond any shadow of a doubt that these so-called humane methods are absolutely humane.

I was very much impressed today when a man like Mr. Davis came here and injected something in regard to the vaccine for the hogs. Now, the bill passed the House, and this problem was never raised there. This is a question that affects this entire industry. If we should take Mr. Davis' testimony that if the hogs are killed by the humane methods—and we lose the possibility of examining what effect the humane methods would have with the serum or vaccine—it would prove to me one point, that the matter was not investigated thoroughly from all sides to find out, or there may be some other objection.

And it was Mr. Davis who brought forth the question. I don't know whether he is right or wrong. Perhaps some measures could be found to prevent that, or, as the chairman suggested today, perhaps an exemption may be placed in the bill. But the mere fact that such an important question was overlooked when this bill passed the House shows how careful we have to be in enacting such legislation.

With regard to the split in the Jewish community, it was brought out by my Colleague, Mr. Feurerstein, and by Rabbi Sharfinan, that there was pressure.

I would say it was duress. May I relate to you a meeting I had with Mr. Davis. I believe it was in January or in February, and with Mr. Myers of the Humane Society, at which time we had a friendly discussion. And I told Mr. Myers that the reason we were

opposed to the new methods is that we are not sure they will work, and I cited one example.

Thirty years ago you will recall, Mr. Senator, that every sizable shoe store installed an X-ray machine by which any person who desired to purchase a pair of shoes could test it first by placing his foot under the X-ray machine. And it was considered a great comfort and a great invention.

Several years later health authorities discovered that the usage of X-ray machine may have a crippling effect.

And I ask Dr. Myers, by the same token, he suggests that carbon dioxide be used, as to electrical stunning, what assurance do you have that a few years later health authorities may not come in and state that it has a damaging effect?

As long as we have already some voices who say that, and as long as the Department of Agriculture and the Department of Health states that they have not devised yet methods by which to measure the pain of animals, how can we come in and state so definitely that these are humane methods?

Mr. Myers had no answer to that. But instead he told me, he said, "Rabbi, you know that legislation will pass, and as long as we have the House, the House will be for it. And so you might as well find a compromise."

Mr. Myers is right here. My answer to Mr. Myers was—so far we did not come out with, there was not a single statement made by any Jewish group in the press, the discussions were limited among the Jewish people, we did not want to raise a Jewish issue in the United States—but I said, "It will come out, and we will tell the public our point of view. We feel that many of the Congressmen who may be for it may not know what is involved. But we will point out to them and prove to them that it may infringe upon the religious right of a minority in this country, that there is no definite evidence that these methods are inhumane, and perhaps the Congress would change its mind."

In the testimony this morning it was brought out that most of the kosher slaughtering is not done by Jewish people or by Jewish concerns, it is done in the large appatoirs by the non-Jewish slaughterhouses. If one of these humane methods—for example, if the gas chamber should be installed in a slaughterhouse, then it will be impossible to have kosher slaughtering in that place, because they have a gas chamber they will not have the chutes and the pens and the slinging methods and hoisting methods by which kosher ritual is observed. In other words, this is having segregation separate slaughterhouses which will kill according to the Jewish way of slaughtering.

We will not be able to use the other large slaughtering houses that are in existence, because if gas would be used there there could not be any more than matter of shehitah. And the same, I am afraid, would apply if the electric stunning or any other way of stunning would go into effect.

In other words, as of today, we do not distinguish between kosher and nonkosher. We have it in the one slaughter floor and same killing floor, and the one who desires kosher gets kosher. But if this humane bill should be enacted into law it will be impossible, and Jewish slaughterhouses will have to be established, which means that

it will be a complete segregation—and certainly I don't think there is anyone here in this country who desires to see segregation in such a vital field.

In conclusion I would like to say that we are an old and historic people. We carry upon our souls the scars that have been inflicted upon us through the generations. And we know from history that all persecution against the Jewish people all over the world began with legislation restricting or controlling killing of animals. It started with animals, and it ended up with human lives.

Mr. Senator, history will judge America not by its kindness to animals, but by the kindness it displays to one another. Kindness to animals does not necessarily mean that the person is a kind person.

As Dr. Lewin stated before, even Nazi Germany was against cruelty to animals, while at the same time they permitted in those same places in Poland to be established gas chambers whereby they killed more than 24 million people, Jews and non-Jews alike.

We therefore feel that this bill, if enacted, will take away our freedom, and as I stated on Tuesday, substitute protection instead of freedom.

Now, protection may be a short-term protection, because of our experience we feel that the humane societies throughout the world—and I am not speaking about the United States—have calculated programs, they are satisfied first by winning one point. Then after they win one point, they proceed to a second point. And to a certain extent it was pointed out right here today, Mr. Chairman.

When you questioned the representatives of the humane societies as to whether they were satisfied with this bill, they said they were not satisfied, they said they would like to have punitive measures, they would like it to be considered a criminal offense if a person does not use humane methods.

But they realize, as Congressman Poage said here today, that Congress would not permit such a bill. So we have this. I can promise, if we have this bill, that propaganda—perhaps not propaganda, but an educational campaign—will be started, and it will come to Congress, and if the populace are to have humane methods, it will not be sufficient to force the people to use humane methods, and they will have to make it a criminal offense if they do not use humane methods. And so it will go on from one point to another. And we hope it will not reach the stage that Britain reached 2 years ago where only a small majority in Parliament enabled Jewish shehitah to be permitted.

I thank you.

The CHAIRMAN. Any questions?

If not, thank you very much for your appearance.

All right, Mrs. Hoag, will you step forward.

MRS. JANE HOAG, KENSINGTON, MD.—Resumed

Senator HUMPHREY (presiding). This will be the concluding witness.

Mrs. HOAG. This won't take me very long.

I am the last rung on the ladder, and I am the housewife who wants to buy the meat.

Now, I have something all written out, but I don't think I will use it.

I am not an emotional person when I go to the grocery store, and most women are not. They go to the grocery store with a grocery list, and they buy their canned things, their produce, and their meat, and they are not overemotional.

But more and more women are becoming aware of the situation about how their meat is slaughtered. And they may not be emotional when they buy meat, but they are going to read the labels and inform themselves as to who is using humane ways and who is not. When I have a ham roast with raisin sauce, I am going to be sure that it is from a humanely slaughtered animal.

Thank you.

Senator HUMPHREY. Thank you very much, Mrs. Hoag.

Your written statement will be entered at this point.

SUPPLEMENTAL REBUTTAL STATEMENT FILED BY MRS. JANE HOAG

Now, then, with your permission, I should like to quote from the testimony of Congressman W. J. Bryan Dorn before this committee on Tuesday, April 29, 1958. This testimony is as I copied it in longhand on the following day, April 30, from the hearing transcription. This is the way the official reporter heard it, and this is the way I heard it:

"I might say that one of the principle arguments advanced before the House was that the House committee had received a number of letters from the good ladies of this country. I might say organized ladies."

Senators of this committee, I am a housewife and mother. I do not represent an organization but, on the other hand, I, and millions of other mothers like me who want this humane slaughter legislation, am not disorganized.

Congressman Dorn then told us a little about his wife and mother, and said that they are bitterly opposed to this bill. He then continues:

"And they are an example of the thousands, hundreds of thousands, if not millions, of women we have not heard from in this country. They don't have time to come here and belong to some organization pressuring this Congress. They are busy at home tending to the children and tending to the livestock. They don't have time to come here and pressure this Congress into some ridiculous form of legislation which might well wreck, Mr. Chairman, the one great segment of the agricultural economy today where they are getting parity prices. * * *

"Mr. Chairman, I wonder how far afield we can go because of some letters we have received. I know how these letters often take place. It happened down at Clemson College, Senator Talmadge. One I recall: The president of the local association said she received a letter from New York. So they presented this proposition to this group of ladies—and the "ayes" had it, and it was so ordered. And they sent me a resolution unanimously opposing a certain piece of legislation.

"When I wrote the husbands of these ladies, they were unanimously the other way. So they got together and concluded it was bad legislation. Often that is the kind of campaign the House and Senate are subjected to * * *."

Now then, I think this is an astounding piece of news. If any of the Senators or Congressmen have troubles with organized groups of good ladies, all that needs to be done is to write the husbands of these ladies. This is so clear and so simple a solution, that I really marvel that someone else has not thought of this before. How comparatively smooth will be the lives of this Nation's legislators when this astonishing news gets around. And I am sure that the good ladies of the Third Congressional District in South Carolina will be most interested in this testimony.

We women are supposed to stay home. We are not supposed to come here and pressure this Congress. It is unseemly. And besides, we are a nuisance, cluttering up the place. We should be at home tending the livestock, making the bean soup, doing the washing, taking His Honor's suit to the cleaners, watching over the little ones with tender and loving care.

Senators, most of us are doing just that. And for that very reason, we have written letters. It takes time to write a letter. Most of the women of this Nation, organized and not organized, farm women or town or city women, do

not have time to come here and, as Congressman Dorn said, "pressure this Congress." So we have written letters to our Senators and Congressmen to let them know that we, organized women and unorganized women, all of the country are thinking about this humane slaughter bill and we want something done about it—and fast.

We are not supposed to come here to Washington to bother the Congress. And we are not supposed to write letters either. We are supposed to be very, very quiet and not make a sound. And, above all, let us not step on a squeaky board in the floor as we tiptoe about our duties.

Senators, tonight when I make that meatloaf, with onion and mushroom sauce, I'm going to be thinking about how the animal was slaughtered whose meat we will be eating. And tomorrow morning I'll call up that lady down on the next block and tell her about the humane slaughter bill S. 1497 and ask her if she will write to her Senators and Congressmen.

Senator HUMPHREY. I believe that is the concluding witness.

Mrs. STEVENS. I just would like the record to show that as far as I know that the pictures and pamphlets shown are not of kosher slaughter.

Senator HUMPHREY. Mrs. Stevens makes that observation, and I am very happy that she has done so.

Senator Ellender, Mrs. Stevens testified that these pictures were not related to kosher slaughter.

Mrs. STEVENS. Yes. In my understanding of kosher slaughter, the neck has to be bent out.

The CHAIRMAN (again presiding). Was this circular circularized by—

Mrs. STEVENS. That is correct, that is our circular and it shows routine sheep slaughter, if that is shehitah, I am terribly ignorant. I have seen routine sheep slaughtered, and that is just what it looks like.

The CHAIRMAN. Is there anybody else who desires to be heard?

Mr. LEWIN. Senator, I think I submit in evidence that the men were identified in Detroit by people who witnessed the taking of the picture, this picture was taken in Detroit, and the man who is represented in the picture is a shohet. There is no doubt about it. I have the original letter of this man with me from which I quoted.

The CHAIRMAN. Were you heard yesterday?

Mrs. SCHMIDT. Not on rebuttal.

The CHAIRMAN. Well, step forward.

Mrs. SCHMIDT. Senator Ellender, I will be glad to submit my rebuttal in a statement, if it may be printed in the record.

The CHAIRMAN. It will be accepted.

Mrs. SCHMIDT. Thank you very much. I tried to get some statistics today by phone, and I was unable to do so, which I would like to place in the record.

The CHAIRMAN. You are Mrs. Schmidt.

Mrs. SCHMIDT. Yes.

The CHAIRMAN. Will you give your name in full for the record.

Mrs. SCHMIDT. Yes.

The CHAIRMAN. Will you give your name in full for the record.

Mrs. SCHMIDT. Mrs. Peder P. Schmidt.

The CHAIRMAN. Permission is granted to Mrs. Schmidt to file with the committee—

Mrs. SCHMIDT. A rebuttal.

The CHAIRMAN. How much time do you want?

Mrs. SCHMIDT. I will file it in written form.

The CHAIRMAN. Say within a week?

Mrs. SCHMIDT. Certainly.

The CHAIRMAN. And her rebuttal statement will be made a part of the printed record.

Mrs. SCHMIDT. Thank you, sir.

(The statement is as follows:)

IN GOD WE TRUST: LET TRUTH PREVAIL IN ALL THINGS

Mr. Chairman and gentlemen of the committee, from a little spark may burst a mighty flame, sufficient to unsettle this Nation. For that reason alone (1) H. R. 8308 and S. 1497 should be put very quietly to sleep; (2) its instigator investigated, writer of the bills, Fred Meyers; (3) S. 1213 substituted and enacted into law, to start the ball rolling toward humane slaughter for humanity's sake.

It will influence this whole earthplane and our outer-space friends as well.

We are arriving fast in a civilization where only those who deal with truth will be able to survive.

"Ye shall know the truth and the truth shall make you free." So states the Bible, said book in reality the best source of information on visitors, in ages past, from outer space.

Time has arrived now for humane slaughter, which will be so much better understood by those who will read the book, *Other Tongues—Other Flesh*, by Dr. George Hunt Williamson, obtainable from the Essene Press, post office box 3433. Corpus Christi, Tex. All quotes, not otherwise specified herein, will be from that book the number will be the page number in said book.

I know Dr. Williamson personally, as well as many others in contact with our friends from outer space.

Dr. Williamson at present is back in Peru, where he has officially been recommended for the highest award granted by a South American government. He searched for and found a lost stone city, he discovered the forgotten "Wall of the writings." This one discovery alone is of profound significance.

I shall carry that book and much other evidence when I will be calling on Congress and others regarding this matter.

I think I shall cover point No. 2 first, as that will be the shortest.

In 1956 I had several clipping of newspapers regarding Fred Meyers, stating he was president or director of National H. Association, in which it brought out that on questioning he hid behind the fifth amendment.

By calling those clippings and my own testimony to the attention of House Members, most of whom I talked to lost interest in this mess. Senator Ellender, there is your answer, in part, why no legislation came out of the House in 1956.

I watched and listened with apprehension on May 1 when the three rabbis sat side by side, speaking, as well as those who spoke before them, on how they had been coerced and practically forced to appear to support this legislation by Mr. Meyer, which, I had learned earlier, had been the case by many other groups, as well as all the badgering of citizens to write Congress demanding this legislation, had come from him or his group.

My society he calls it, I heard at hearing.

Who finances this spurious group's activities that seems to have sprung up at the same time these bills did?

The rabbis brought out the grave danger I foresaw in this bill. More wrongs do not make a right.

I could not help but watch Fred Meyer's face when the three rabbis spoke. He seemed like the grin of the cat who swallowed the canary—perhaps more like satanic glee.

387. "Their faces are thin and they possess weak bodies. They come among you to disperse all things not in keeping with their own ideas. They upset our plans. They run amuck and we avoid them. They prey on the unsuspecting. They are talkative. They astound intellects with their words of magnificence. While their wisdom may have merit, it is materialistic and not of pure aspiration toward God."

This quote I could not help but feel fitted F. Meyer. He was so talkative that when he said he only needed 15 minutes to finish, he took 45, as mentioned by Senator Ellender. He has disregard for Agriculture Department and its work. He so stated with arrogant words.

This could become more important than the pumpkin papers.

People who hide behind the fifth amendment usually do so because the information they would divulge or verify would tend to incriminate them.

The committee must have had some information regarding Fred Meyers or they would not have asked him to testify

There are a number of committees who handle such cases, I have forgotten which one the clippings were from.

The rabbis brought out about Germany, etc. Well, fascism, nazism, communism is all the same kettle of stew with different forms of seasoning.

What the rabbis did not bring out was, that it has generally been a small segment of their own group, dissatisfied with the world in general, who know their most vulnerable spot, who would be the moving force behind such as this slaughter bill mess.

Let's smoke out the culprits and keep peace in our land, first of all.

I am sure in my own mind, that Senator Humphrey had no idea of these, now out in the open, implications.

I believe he was just being used to further the ends of a nefarious plot, as all others have been.

I had heard nothing about these bills until shortly before the 1956 hearing started, nor read S. 1636 until the Monday prior to the hearing as stated in my testimony in 1956. But what I saw in it made me go all out against this item of legislation, although I am very much for humane slaughter for humanity's sake, when such can be instituted without undue stress and strife within our Nation.

In the House of Representatives Un-American Activities Committee index is mentioned a Fred Meyer about 50 times, the first name spelled in many versions. It could be the same person or 10 different ones; I would not know—nor, where else such records are, how many mentionings, may be, of Fred Meyers, etc. Nor do I know how to go about instigating an investigation into a matter such as this, which could have such dangerous outcome.

278. "St. John tells us that 'round about the Throne were four and twenty seats,' and upon the seats he saw, 'four and twenty elders' which evidently was the Laturn tribunal, with 2 members from each of the 12 planets."

This first Senate divinely created your Senate setup, represent for us in the United States of America.

It will be up to you Senators either to dig into this in your own committee, or turn it over to the proper place for such, whether it would be another Senate committee, or the Criminal Division of the Justice Department.

It behooves us to realize, as is being brought out by J. Edgar Hoover of the FBI, the infiltration into all faces of our economy. Divide and conquer at the same time, is a favorite trick.

It can be ascertained what Commissioner F. Meyers was in front of, what he took the fifth amendment for.

It is equally important who his legal help was in drawing up the bills. Likewise who pays the piper, who played the tune that has now aroused a nation.

Like a woman from a small town in Virginia told me at Tuesday's hearing, "We have been writing like mad, anyone who could, to all Senators and Congressmen, for these bills. We were badgered into doing so by being told how urgent it was to have them passed," and so forth.

I likewise happened to overhear F. Meyer tell somebody how they had sent telegrams everywhere, urging people to come to the hearing, but he had no idea how they would respond, etc. (who paid that bill?)

Who has been firing up the United States of America on this legislation? Where did F. Meyer pop from? I never heard of the guy and his society until 1956.

The whole thing stinks, just as much as fluoridation. The bogus propaganda for fluoridating city water has just about run out; 1,000 cities have thrown it out. All that effort was never put into it for the sake of children's teeth.

As the evidence shows from the three hearings now held on the matter, the societies who are genuinely interested in this, along with others, have been forging quickly ahead for years, without such forced fanfare.

However, the Halmudic quoting rabbis' statements do not make their methods of slaughter better.

Let me here quote a few items as rebuttal.

279: "When the 12 tribes of Israel encamped in the wilderness, the banners of Reuben (the man), Judah (the lion), Ephraim (the bull), and Dan (the

eagle) were placed at the four corners." I am still under the eagle here; which are yours?

280. "In the Torah it is written that the celestial throne of Ezekiel's vision signifies the traditional law, and the appearance of a man sitting upon the throne represents the written law."

22. "There is nothing wrong with religion; it's what man has done with it that is so pitiful. Manmade boundaries, manmade creeds, ideals, manmade religious groups, manmade doctrines or dogma, each claiming to be the only right one. We must draw strength from the almost forgotten virtues of simplicity, humility, contemplation, and prayers in our daily living. The type which war cannot defeat or peace corrupt."

More radiant health and right living plus right thinking will be had when United States of America will be eating meat or meat products coming from animals stunned when unalarmed prior to slaughter.

For God hath not given us the spirit of fear, but of power, and of love, and of a sound mind (II Timothy 1:7) legends about the famous Halls of Tara where the Irish kings held their first government, is still fresh in history. Much of antiquity may be found buried in the hills of Tara. Many towns in Ireland derive their names from ancient Hebrew as well as from Saxons and Danes. The daughter of Zedekiah, the last king of Judah, escaped from Babylonian captivity and by way of Egypt, came to Ireland and married King Heremon there.

She brought with her the "Stone of Desding." The stone on which Jacob rested his head at Bethel. When he saw the vision and was there blessed by God (Jeremiah, ch. 43) (Genesis, ch. 23:14) (Jeremiah, ch. 21, and others). Jacob gave that stone to Joseph. It was preserved in their captivity, it formed the seat of Solomon's throne. It was the coronation stone of Irish kings until Fergus O'Moore removed it to Scotland when he became king of Argyle in 457 A. D.

For about 800 years it stayed in Scotland until Edward the First took it to London in 1298. It has been used for coronations up to our day, there.

It is foretold all along, and I agree, but further wish to add that the time is not far in the future when that "Stone of Destiny" will be brought not back to Jerusalem, but here to this continent and it by marriage will help to join Canada, United States, and others of the remnants gathered together into the nations of peace. When this continent has learned to eat meat not filled with fear and poisonous waste caused by fear.

I was severely attacked several days for being bigoted, during the hearing, by rabbis and others, who really do not know the facts on killing.

However, I think it places that label on the wrong party, to call us bigoted. Would that label not fit them much better? We only refuse to buy and eat unknowingly what they throw away as unfit to eat by them.

By their own testimony, now in the records, they do not eat such and such. But it is dumped, along with their hindquarters, on the market for the general public to use, pay for, and consume, instead of what they would be entitled to be able to procure.

To counteract this, the public can demand and the stores can display signs to the effect that "Here is sold only meat of animals humanely cared for and stunned prior to slaughter"—plus name of plant meat comes from so consumers can ascertain the correctness of the sign.

In this world we must be willing to accept equal responsibility if we want equal opportunity. Those who wish to retain the right to kosher butchering had better wake up to the facts that only by protecting the rights of others to have what they want can they retain the liberty to have what they want. That principle was drilled into us children in my home from the time we had learned to walk and I agree and have been thankful to my parents for what they taught me.

It will be up to the Jewish faction or Yiddish groups what to do with the part of carcass they claim they cannot eat.

As no one who has seen the difference of the handling of the limp animal, after stunning, and the cutting of the conscious animal as they do, would want that meat, after having read Dr. Myra Babcock's statement.

This brings out again in scientific terms what we were taught as children, much more than I brought out at the hearing.

It was gone into in detail, with the first born in each generation, to pass on to the next. I am the first born of five now-living children. My father and mother were both first born, etc. One point was that the animal killed, while

in great fear, would produce poisons in the system which would hit the male in the heart and the female in reproductive organs. But especially the young would be affected adversely. Think of the typical American kid, what does he look like—braces or bucked teeth; or now from fluoride, mottled teeth. Glasses and so jumpy and nervous that he is completely unable to sit still unless in front of a TV.

Dr. L. Ron Hubbard's book, *Science of Survival*, brings out how the negative forces lower the tone of humans, produces the killers and criminals. All interested in pro and con on this matter should read that book and become a lot wiser, read also her book on the emotion meter, which is a much more advanced machine than the lie detector, which is in reality an emotion meter. I know its inventor, who was at the University of Minnesota. He admitted to me rather shamefacedly, yes, he had gotten the idea for the lie detector at the Palmer Chiropractic Institute in Davenport, Iowa, where I too had been several times. The lie detector is almost the same machine, in much less detail, but the same principle by which the chiropractor can examine every organ in your body. It is the most significant discovery for human health and welfare (the true kind) in this century. My chiropractor in Minneapolis has used such a machine for the last 23 years on me, when calling there.

42. The crystals in the blood, by diffusing, refracting, and reflecting the positive and negative light lines of force, and by apposing polarized conditions, bring about the flow of the blood by light energy and as a result the functioning of the heart.

Dr. Cecil Bowlby, of Los Angeles, Calif., recently reported that he succeeded in photographing four distinct fields of vibration around the human body which are in various colors invisible to the naked eye. They are, respectively, about one-half inch, 6 inches, 3 feet, and 9 feet and over from the skin. He believes the fourth field is the strongest, that is most extensive when persons radiate very strong feelings, especially, those of love and peace (no doubt the halo on saints' pictures originate here).

Compare this with Dr. Babcock's and my statement, and realize, just by plain commonsense and some of the reasoning and intuitive powers God gave you, what wars go on in each child from what they are fed, even what memory of killing is carried over affecting the mind and in a span of time the heart, etc.

291. J. R. Anderson of the Bell Telephone Laboratories now claims that barium titanate crystals apparently can store as much as 2,500 items of information within a crystal of 1 square inch surface and a few thousandths of an inch thickness. How much more cannot the human mind store and is buried there from time of conception?

On No. 3 my suggestion would be: No. 1 for the committee to invite Dr. L. Ron Hubbard (he is in the Washington phonebook) to speak to them in a closed session on how meat can affect the unborn from conception on, as well as other factors.

No. 2. Set up an authority under S. 1213, to be passed into law, if not in this Congress, I will be back in Washington to see if it passes in the next.

I am leaving in a few weeks to take this matter to the people of the State of Minnesota, along with other factors, which I had planned before this so suddenly hit the public again.

In the form of this Senate public hearing, which was the committee's wisest move on this matter at this time, which by now must be apparent to the full committee.

No. 3. Make it part of the law that Dr. L. Ron Hubbard serve on this authority, sitting as his substitute Dr. Barret, whom I think would be able to carry on best in Dr. L. Ron Hubbard's absence. Dr. Hubbard's new science, sciencology, will be taught in schools of the future and man will turn away from wars as solutions.

No. 4. Set up under this authority a sort of school or seminar to be taught by a responsible group of men under Dr. Hubbard's direct supervision.

To all who are packers or slaughterers, teaching them in a 1-week course.

The main principles for humane slaughter—to protect humanity in the future.

No. 5. All to be voluntary. The public will be demanding the type of meat they want faster than the packers will be educated there, too.

No. 6. Have Dr. Myra Babcock on that committee, would be my suggestion. As well as such men as Mr. John G. MacFarlane and also one veterinarian, also a representative of packers already using humane methods or of Hormel's in

Austin, Minn., who has proven humane slaughter feasible, but not the scientist of their's who promoted flouridation.

No. 7. I also think there should be on this authority some representative of the National Health Federation, which is an organization that will be playing a great part in the future health of this Nation.

I do not at present have its address. It has headquarters in California.

But I will request that some representative of theirs contact Senator Ellender with further facts on their work for the United States of America.

No. 8. A nine-member committee set up under the authority in S. 1213, by law, could, perhaps, be set up in reality now. So study this, under the sponsorship of the Senate Committee on Agriculture.

Then an amendment added to the bill or a separate bill sent through this year to furnish the expenditures.

No. 9. Perhaps the committee has some ways by which it can supply the funds to start this study group now so they can bring results before the committee by next January or May as to what progress they have been able to make.

No. 10. It is getting late in this session to get anything suggested here brought through the House. Also, they maybe would even wish to hold hearings on it again, after the revelations of May 7, 1958.

I am sure any Senator who reads the rabbi's testimony of the afternoon of May 1, 1958, would not wish to be further associated with S. 1497 unless he is interested to see stirred-up trouble and this Nation set aflame internally.

No. 11. I have heard said if so-called anti-Semitism ever got going here it would be the worst blood bath any nation has ever seen. I, for one, wish to see such kept out of America.

No. 12. Evildoers will get their own medicine, vengeance is mine, said God. The space friends knows what has happened on this planet in ages past and what is yet to come.

No. 13. I will move by their advice, and by the intelligence and intuition God gave me. With that and what little else I have at my command.

It has cost me dearly in work lost in the time I have spent on this issue, that I can ill afford.

This too is a mere draft but I have no time to edit, correct or rephrase, or re-write sentences at this late hour. At 4:30 I must turn this in to be within the time set, but then rebuttals are generally extemporaneously given.

No. 14. A nine-person authority seems to me to be the logical number with certain salary and travel cost set. Time length in years to serve. How new powers or men is to be appointed thereto is all a matter I think should be governed by Congress as a starter.

No. 15. To put it under the Department of Agriculture's powers alone could in the future cause as much propaganda in the wrong direction, perhaps, as we have seen developed within the United States public health on the fluoride issue. Which have put the city of Washington in the position, to, up to date, have wasted over one-half million dollars.

In the Daily News, November 22, 1957, Robert M. Buck wrote that fluoridation had cost the Washington, D. C., taxpayers \$691,056 since 1952. In the fiscal year of 1957, the bill was \$105,318. Now this put Washington in the position to have wasted \$104,792 against the \$528 worth of fluoride that can ever hope to reach the small one-half of 1 percent intended target the children under 13 years of age.

Whereas no one will ever know the great amount of damage done to the city's plumbing, as well as to the human and animals, as well as all the living things in water, soil, and birds in the air; all that lives in gardens and streams. Yep, we Americans are smart (we think).

I wonder what the plotters think who foisted the hoax on us of fluoridation, to have the main component handy to produce their nerve gas when wanted (see pp. 9 and 177 in *Pawns in the Game*, by Comdr. William Guy Carr, of Canada, of the Royal Canadian Navy. See also pp. 164 and 210 in *Red Fog Over America*, by same author.) No doubt there same plotters he speaks of had their itchy, pinky fingers in this meat mess, S. 1497.

No. 16. Evil gets its rewards as well as good.

293. "The many, through last 100 years or more, strange consumption (cremation) of bodies to ashes by fire which harmed nothing else, and its explanations."

328. "Man will not only be released from dogmas, doctrines, false theories, pseudoauthorities, warmongers, spiritual conceit, and other centuries-old chains that bind, but, he will take his true place in cosmos as the son of God and a poten-

tial god himself." This will free the Hebrew people from the bondage of the Jewish or Yiddish grip. They can revert to the true state. The wheat shall be gathered together as such and the tares destroyed in hades. Yep, it is all there in the Bible.

Completely and perfectly fitting with messages from other planets delivered here almost daily by space, saucers, or other methods of communications

No. 17. I have been a member of the group of the Washington Saucer Intelligence for some time, a student of international politics and space contacts for 48 years, which was evident to those who read any of the 28 pages of mimeographed material sent to all United States Senators in 1951 in the Youngdahl appointment, in which much, very, so very, very much mentioned them, is of the greatest importance to this Nation, in fact the whole world, now, 7 years later.

My fingers are getting very tired from writing so steadily, now, for hours, so I shall close very soon.

Those who are sincerely interested in humane slaughter for humanity's sake.

May I suggest that for the future welfare of this Nation, they get a copy of the hearing on food additives, April 15, 1958, before Interstate and Commerce Committee of House of Representatives, and read my statement therein. Also my statement before Interstate and Foreign Commerce Committee of Senate, April 30, 1958, in opposition to S. 582 on liquor-advertising control. My statements in hearings on fluoridation of water, May 1954, before House Interstate on H. R. 2341. Said bill introduced by my district's Congressman at my request. My testimony can be found, through these last 5 years, in many and varied places, which can be supplied information on, on request. All my work here in Washington have mainly dealt with the protection of the United States of America and the health of its human resources, under which heading also comes this so very vital issue—humane slaughter—for our Nation's safe arrival into the space age.

Not by our present approach but, by learning to utilize the forces used by beings on other planets. The four great primary forces are static magnetic field, electrostatic field, electromagnetic wave, resonating electromagnetic field. Ancient temples were dedicated to these sacred four.

Also called the four great architects; the four great builders; the four great kings, etc. The Pyramids was built with a corner for each one of them. The top-point or apex was for the Creator of the universe or universes.

The atom power, etc., called evil in other ages have been used before to upset this planet, and destroy its life with. While a remnant of earth's population was placed on other planets, until the earth again could be used and they, and others, came back here as leaders of humanity. The Bible states my Father's house have many mansions, this earth school is but one of them.

Just one small speck in the myriads of galaxies there is out there in space.

Let us be humbly thankful for this opportunity to work on this issue while we can. As I have stated in oral testimony, I know from experience, personal, that the stunning of animals is painless—that gas is painless, and that no amount of being dropped, bumped, or hoisted will pain the animal, stunned or gassed. So let us get on with this work, so rudely proclaimed by F. Meyers.

But let it be done in a quiet and dignified manner which becomes the Senate of the United States.

You gentlemen, on this issue, hold America's future in the palm of your hand. You can retard it. You can progress it—all by whatever action you take.

I have tried in my humble way to point out to you some suggestions.

Knowledge is power. Know with what you deal.

L. Ron. Hubbard can tell you, if he will consent.

I do not see how Dr. Hubbard can refuse, if he is told it is in behalf of the future health of the United States of America.

You, Senator Ellender, did a very wonderful job as chairman of this hearing, to get the truth ferreted out; it just had to come out under your very wise probing.

I would like to suggest, or request, that you become the chairman of this committee, or authority, or study. I am sure there are very fine men in the Agriculture Department. I have found Dr. Miller's and Dr. Clarkson's statements so, in the books on hearings. But they would be under an authority there, which could become as detrimental to them to carry out items, as I have seen happen in USPHS, Washington department on fluoridation and many

similar situations. Thus, I feel that this committee authority or study should have some autonomy of its own, to be effective. I think it would be well to have it work closely with the Senate to start with.

This is just a thought of mine. I suppose, because I see USPHS' adverse effect on real health for the Nation.

That department in reality was known for years as the house of Isadore Falk. Not health for the United States public, I found on tangling with them on the fluoridation issues.

From that experience I would hate to see this authority get off to a bad start, and am thus voicing my opinion.

However, naturally research men and inspectors of agriculture should be part of Dr. Hubbard's first seminar and part of the force in this machinery. God bless you all, Senators, and many you find workable ways to put the Humphrey bill to sleep; substitute the Watkins bill to carry on with. God bless America.

The CHAIRMAN. Does anybody else desire to be heard?

If not, the hearings are closed, and the committee will stand in recess until further order from the chairman.

(Whereupon, at 5:30 p. m., the committee adjourned, subject to the call of the Chair.)

(Additional statements filed for the record are as follows:)

MAY 8, 1958.

MR. COTY M. MOUSER,

*Chief Clerk, Committee on Agriculture and Forestry,
Senate Office Building, Washington, D. C.*

DEAR MR. MOUSER: If the record of the recent hearing on humane slaughter still is open, the Humane Society of the United States would like to enter in it the following supplementary comment.

1. Rabbi Teitz and several other speakers for orthodox Jewish organizations have made a point of saying that they do not want a law that protects shehitah but, instead, want freedom. It seems worth noting that there is no freedom without law—anarchy is really the antithesis of freedom. It is our Constitution and our body of law that enables any of us to enjoy freedom.

2. Rabbi Lewin argued against "legally enforced humaneness." That argument would imply opposition to all anticruelty laws and, indeed, opposition to all laws based on moral principles. Rabbi Lewin probably would not want to pursue his logic to its ultimate conclusion.

3. Several spokesmen of the orthodox Jewish group conceded during their testimony that the pending legislation would in no way interfere with Jewish ritual but argued that kosher slaughter might be made more expensive and therefore impractical by restrictions on methods of handling animals before slaughter. It should be noted by the Senate that this argument is totally unrelated to any religious issue; it is merely the argument advanced by any slaughterer who objects to added expense. With an orthodox rabbi presents that argument, he is merely saying that he wants Armour and Swift to be permitted to continue the routines of the past because, he thinks, the old methods are cheaper than the humane alternatives available.

4. Rabbi Sharfman asserted in testimony that the Weinberg and Dyne casting pens are not practical. The fact is that they are in regular use abroad and are entirely practical. A thousand-pound steer can be processed through a Weinberg pen in less than 5 minutes, which is not measurably longer than the time now used in shackling and hoisting a steer.

Sincerely yours,

FRED MYERS,

Executive Director, Humane Society of the United States.

REBUTTAL STATEMENT FILED BY MRS. DOROTHY DYCE, DETROIT, MICH.

I wish to thank this committee for listening to my statement in behalf of humane slaughter legislation.

It has been enlightening to hear the views of the opponents of this bill.

They invariably preface their remarks by some statement such as this: "We are in favor of the objective of this bill, but * * *"

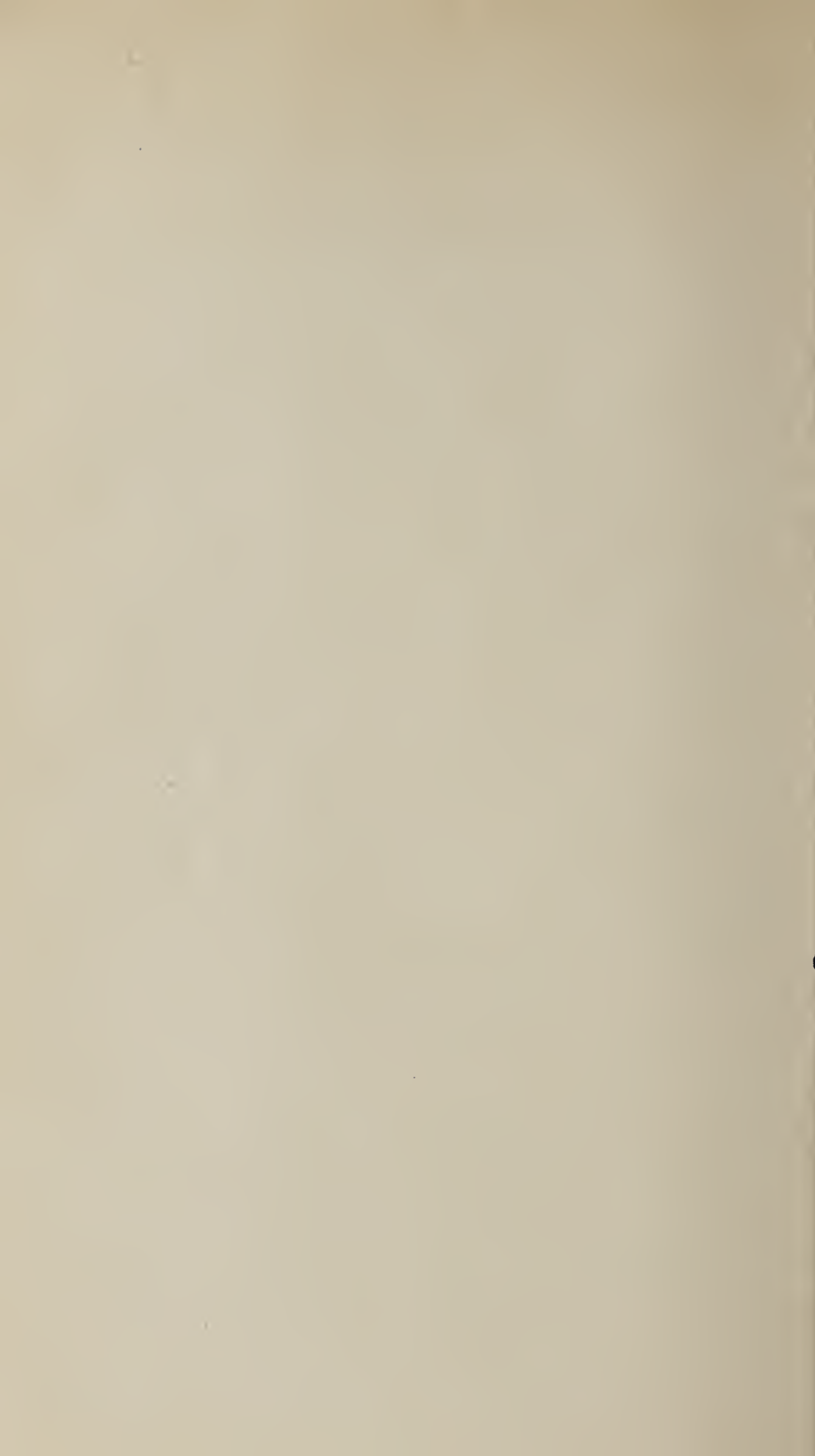
They do not want to be branded as inhumane, even though they put all the obstacles in the way of achieving humane slaughter.

There were those who fought to prevent our pure food laws and our Meat Inspection Act. At that time, Senator Beveridge said: "When we want to stop an evil like this, everybody apparently is in favor of stopping the evil, but the worst enemies of the reform are those who say stop the evils, but are always against any effective laws for stopping them."

Their dismal record of habitually opposing all Federal and State legislation makes women doubtful of their intentions on humanesss.

American women are sincerely interested in the passage of this bill, and are hopeful it will be passed in this session of Congress.

×



HUMANE SLAUGHTER



HEARINGS
BEFORE THE
SUBCOMMITTEE ON
LIVESTOCK AND FEED GRAINS
OF THE
COMMITTEE ON AGRICULTURE
HOUSE OF REPRESENTATIVES
EIGHTY-FIFTH CONGRESS
FIRST SESSION

ON

H. R. 176, H. R. 2880, H. R. 3029, H. R. 3049, H. R. 5671, H. R. 5820,
H. R. 6422, AND H. R. 6503

APRIL 2 AND 12, 1957

Printed for the use of the Committee on Agriculture

Serial L



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HUMANE SLAUGHTER

TUESDAY, APRIL 2, 1957

HOUSE OF REPRESENTATIVES,
COMMODITY SUBCOMMITTEE ON LIVESTOCK AND FEED
GRAINS OF THE COMMITTEE ON AGRICULTURE,
Washington, D. C.

The subcommittee met pursuant to notice at 10:10 a. m., in room 1310, New House Office Building, Hon. W. R. Poage (chairman of the subcommittee) presiding.

Present: Representatives Poage (chairman of the subcommittee), Albert, Jennings, Matthews, Hill, and Harvey.

Also present: Representatives Abernethy, Polk, Gathings, Jones, Thompson, Johnson, Dague, McIntire, Dixon, Krueger and Teague (California); Devereux, Cooley, and Mrs. Griffiths.

John Heimburger, counsel.

Mr. POAGE. The committee will please come to order.

We are here this morning to consider various humane bills that are before us. We have a number of bills, some of which possibly are duplicates.

(The bills are as follows:)

[H. R. 176, 85th Cong., 1st sess.]

A BILL To require the use of humane methods in the slaughter of livestock and poultry in interstate or foreign commerce, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, as used in this Act—

(a) The term "commerce" means commerce (1) among the several States or with foreign nations, (2) in any Territory of the United States or in the District of Columbia, (3) between any such Territory and another, (4) between any such Territory and any State or foreign nation, or (5) between the District of Columbia and any State, Territory, or foreign nation;

(b) The term "Secretary" means the Secretary of Agriculture;

(c) The term "person" means any individual, partnership, corporation, association;

(d) The term "slaughterer" means any person regularly engaged in the business of (1) purchasing livestock or poultry in commerce for purposes of slaughter or (2) slaughtering livestock or poultry for the sale in commerce of meat, meat products, poultry, or poultry products;

(e) The term "livestock" means cattle, sheep, swine, and any other animal susceptible of use for the preparation of meat or meat products; and

(f) The terms "packer" and "stockyard" shall have the same meaning as when used in the Packers and Stockyards Act (7 U. S. C. 191, 202).

SEC. 2. (a) No slaughterer shall hoist, cut, scald, skin, bleed, or slaughter any livestock unless such livestock has first been rendered insensible by mechanical, electrical, chemical, or other means determined by the Secretary to be rapid, effective, and humane.

(b) No slaughterer shall bleed or slaughter any poultry unless such poultry has first been rendered insensible by the severing of the head from the body, or by any electrical or other means determined by the Secretary to be rapid, effective, and humane.

(c) The requirements of this section shall not apply to any individual slaughtering in accordance with the requirements of any established religious faith.

SEC. Any person who by any act or omission violates any provision of section 2 or section 3 shall be punished by a fine of not more than \$1,000, or by imprisonment for not more than one year, or both.

SEC. 4. (a) The Secretary shall promulgate such rules and regulations as may be necessary to carry this Act into effect.

(b) The Secretary shall appoint an advisory committee composed of four members, of whom one shall be an officer or employee of the Department of Agriculture designated by the Secretary, one shall be chosen from slaughterers, one shall be a representative of the organized trade-union movement engaged in packinghouse work, and one shall be an officer of the National Humane Society or the American Humane Association. Such committee shall advise the Secretary concerning questions arising in the administration of this Act. The member who is an officer or employee of the Department of Agriculture shall receive no additional compensation for service rendered under this Act. Other members shall be reimbursed for actual expenses incurred in this service, as the Secretary shall prescribe.

SEC. 5. This Act shall take effect on the date two years after the date of enactment of this Act. Upon a showing of good cause and upon the recommendation of the committee established under section 4, the Secretary may by order exempt any person from compliance with any provision of this Act for any such period of time, not exceeding five years after enactment, as the Secretary shall determine to be reasonable.

[H. R. 2880, 85th Cong., 1st sess.]

A BILL To require the use of humane methods in the slaughter of livestock and poultry in interstate or foreign commerce, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, as used in this Act—

(a) The term "commerce" means commerce (1) among the several States or with foreign nations, (2) in any Territory of the United States or in the District of Columbia, (3) between any such Territory and another, (4) between any such Territory and any State or foreign nation, or (5) between the District of Columbia and any State, Territory, or foreign nation;

(b) The term "Secretary" means the Secretary of Agriculture;

(c) The term "person" means any individual, partnership, corporation, association;

(d) The term "slaughterer" means any person regularly engaged in the business of (1) purchasing livestock or poultry in commerce for purposes of slaughter or (2) slaughtering livestock or poultry for the sale in commerce of meat, meat products, poultry, or poultry products;

(e) The term "livestock" means cattle, sheep, swine, and any other animal susceptible of use for the preparation of meat or meat products; and

(f) The terms "packer" and "stockyard" shall have the same meaning as when used in the Packers and Stockyards Act (7 U. S. C. 191, 202).

SEC. 2. (a) No slaughterer shall hoist, cut, scald, skin, bleed or slaughter any livestock unless such livestock has first been rendered insensible by mechanical, electrical, chemical, or other means determined by the Secretary to be rapid, effective, and humane.

(b) No slaughterer shall bleed or slaughter any poultry unless such poultry has first been rendered insensible by the severing of the head from the body, or by any electrical or other means determined by the Secretary to be rapid, effective, and humane.

(c) The requirements of this section shall not apply to any individual slaughtering in accordance with the requirements of any established religious faith.

SEC. 3. Any person who by any act or omission violates any provision of section 2 or section 3 shall be punished by a fine of not more than \$1,000, or by imprisonment for not more than one year, or both.

SEC. 4. (a) The Secretary shall promulgate such rules and regulations as may be necessary to carry this Act into effect.

(b) The Secretary shall appoint an advisory committee composed of four members, of whom one shall be an officer or employee of the Department of Agriculture designated by the Secretary, one shall be chosen from slaughterers, one shall be a representative of the organized trade-union movement engaged in packinghouse work, and one shall be an officer of the National Humane Society or the American Humane Association. Such committee shall advise the Secretary concerning questions arising in the administration of this Act. The member who is an officer or employee of the Department of Agriculture shall receive no additional compensation for service rendered under this Act. Other members shall be reimbursed for actual expenses incurred in this service, as the Secretary shall prescribe.

SEC. 5. This Act shall take effect on the date two years after the date of enactment of this Act. Upon a showing of good cause and upon the recommendation of the committee established under section 4, the Secretary may by order exempt any person from compliance with any provision of this Act for any such period of time, not exceeding five years after enactment, as the Secretary shall determine to be reasonable.

[H. R. 3029, 85th Cong., 1st sess.]

A BILL To require the use of humane methods in the slaughter of livestock and poultry in interstate or foreign commerce and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, as used in this Act—

(a) The term "commerce" means commerce (1) among the several States or with foreign nations, (2) in any Territory of the United States or in the District of Columbia, (3) between any such Territory and another, (4) between any such Territory and any State or foreign nation, or (5) between the District of Columbia and any State, Territory, or foreign nation;

(b) The term "Secretary" means the Secretary of Agriculture;

(c) The term "person" means any individual, partnership, corporation, or association;

(d) The term "slaughterer" means any person regularly engaged in the business of (1) purchasing livestock or poultry in commerce for purposes of slaughter or (2) slaughtering livestock or poultry for the sale in commerce of meat, meat products, poultry or poultry products;

(e) The term "livestock" means cattle, sheep, swine, horses, and other animals susceptible of use for the preparation of meat or meat products;

(f) The terms "packer" and "stockyard" shall have the same meaning as when used in the Packers and Stockyards Act (7 U. S. C. 191, 202);

(g) The term "approved method" of slaughtering shall mean any of the following:

(1) In the case of livestock, rendering such livestock insensible before bleeding or slaughtering, by mechanical, electrical, chemical, or other means determined by the Secretary to be rapid, effective, and humane;

(2) In the case of poultry, instantaneous severing of the head from the body or, if poultry is otherwise cut or stuck by first rendering such poultry insensible by mechanical, electrical, chemical, or other means determined by the Secretary to be rapid, effective, and humane;

(3) Slaughtering in accordance with the requirements of any religious faith.

SEC. 2. (a) Livestock and poultry shall be slaughtered by an approved method.

(b) Livestock and poultry shall not be shackled, hoisted, cast, or otherwise brought into position for slaughter by any method that causes pain to the animals or fowl.

SEC. 3. Any person who by any act or omission violates any provision of section 2 shall be punished by a fine of not more than \$1,000, or by imprisonment for not more than one year, or both.

SEC. 4. The Secretary shall promulgate such rules and regulations as may be necessary to carry this Act into effect.

SEC. 5. This Act shall take effect on the date two years after the date of enactment. Upon a showing of good cause the Secretary may by order exempt any person from compliance with any provision of this Act for an additional period not to exceed one year.

[H. R. 3049, 85th Cong., 1st sess.]

A BILL To require the use of humane methods in the slaughter of livestock and poultry in interstate or foreign commerce, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, as used in this Act—

(a) The term "commerce" means commerce (1) among the several States or with foreign nations, (2) in any Territory of the United States or in the District of Columbia, (3) between any such Territory and another, (4) between any such Territory and any State or foreign nation, or (5) between the District of Columbia and any State, Territory, or foreign nation;

(b) The term "Secretary" means the Secretary of Agriculture;

(c) The term "person" means any individual, partnership, corporation, or association;

(d) The term "slaughterer" means any person regularly engaged in the business of (1) purchasing livestock or poultry in commerce for purposes of slaughter or (2) slaughtering livestock or poultry for the sale in commerce of meat, meat products, poultry, or poultry products; and

(e) The term "livestock" means cattle, sheep, swine, and any other animal susceptible of use for the preparation of meat or meat products.

SEC. 2. That the Congress finds that the use of humane methods in the slaughter of livestock and poultry prevents needless suffering; results in safer and better working conditions for persons engaged in the slaughtering industry; brings about improvement of products and economy in slaughtering operations; and produces other benefits for producers, processors, and consumers which tend to increase the orderly flow of livestock and poultry and their products in interstate and foreign commerce. It is therefore declared to be the policy of Congress that livestock and poultry shall hereafter be slaughtered only by humane methods.

SEC. 3. No slaughterer shall bleed or slaughter any livestock or poultry except by a humane method of slaughtering.

The term "humane method of slaughtering" shall mean either of the following:

(a) In the case of livestock, the rendering insensible of such livestock before bleeding or slaughtering, by mechanical, electrical, chemical, or other means determined by the Secretary to be rapid, effective, and humane.

(b) In the case of poultry, the rendering insensible of such poultry, before bleeding or slaughtering, by the severing of the head from the body, or by any electrical or other means determined by the Secretary to be rapid, effective, and humane: *Provided, however,* That nothing in this Act shall prohibit slaughtering in accordance with the practices and requirements of the Jewish religious faith by a qualified slaughterer, commonly called a shohet, authorized to engage in such slaughtering by an ordained rabbi of the Jewish religious faith.

SEC. 4. Shackling, hoisting, or otherwise bringing livestock and poultry into position for slaughter by any method that causes injury or pain is prohibited.

SEC. 5. Any person who by any act or omission violates any provision of section 2, section 3, or section 4, shall be punished by a fine of not more than \$1,000 or by imprisonment for not more than one year, or both.

SEC. 6. The Secretary shall promulgate such rules and regulations as may be necessary to carry this Act into effect.

SEC. 7. This Act shall take effect on the date two years after the date of enactment of this Act. Upon a showing of good cause, the Secretary may by order exempt any person from compliance with any provision of this Act for such period of time as the Secretary shall determine to be reasonable, not to exceed one year, or, when extensive construction is required to comply with the provisions of the law in the use of certain methods of producing unconsciousness in livestock and poultry, not to exceed two years.

[H. R. 5671, 85th Cong., 1st sess.]

A BILL To require the use of humane methods in the slaughter of livestock and poultry in interstate or foreign commerce and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, as used in this Act—

(a) The term "commerce" means commerce (1) among the several States or with foreign nations, (2) in any territory of the United States or in the District

of Columbia, (3) between any such Territory and another, (4) between any such Territory and any State or foreign nation, or (5) between the District of Columbia and any State, Territory, or foreign nation;

(b) The term "secretary" means the Secretary of Agriculture;

(c) The term "person" means any individual, partnership, corporation, or association;

(d) The term "slaughterer" means any person regularly engaged in the business of (1) purchasing livestock or poultry in commerce for purposes of slaughter or (2) slaughtering livestock or poultry for the sale in commerce of meat, meat products, poultry or poultry products;

(e) The term "livestock" means cattle, sheep, swine, horses, and other animals susceptible of use for the preparation of meat or meat products;

(f) The terms "packer" and "stockyard" shall have the same meaning as when used in the Packers and Stockyards Act (7 U. S. C. 191, 202) ;

(g) The term "approved method" of slaughtering shall mean any of the following:

(1) In the case of livestock, rendering such livestock insensible before bleeding or slaughtering, by mechanical, electrical, chemical, or other means determined by the Secretary to be rapid, effective, and humane ;

(2) In the case of poultry, instantaneous severing of the head from the body or, if poultry is otherwise cut or stuck by first rendering such poultry insensible by mechanical, electrical, chemical, or other means determined by the Secretary to be rapid, effective, and humane ;

(3) Slaughtering in accordance with the requirements of any religious faith.

SEC. 2. (a) Livestock and poultry shall be slaughtered by an approved method.

(b) Livestock and poultry shall not be shackled, hoisted, cast, or otherwise brought into position for slaughter by any method that causes pain to the animals or fowl.

SEC. 3. Any person who by any act or omission violates any provision of section 2 shall be punished by a fine of not more than \$1,000, or by imprisonment for not more than one year, or both.

SEC. 4. The Secretary shall promulgate such rules and regulations as may be necessary to carry this Act into effect.

SEC. 5. This Act shall take effect on the date two years after the date of enactment. Upon a showing of good cause the Secretary may by order exempt any person from compliance with any provision of this Act for an additional period not to exceed one year.

[H. R. 5820, 85th Cong., 1st sess.]

A BILL To promote the development and use of improved methods for the humane handling, transporting, and slaughtering of livestock and poultry in interstate and foreign commerce

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress finds that the use of humane methods in the handling, transporting, and slaughtering of livestock and poultry prevents needless suffering; brings about improvement of products; and produces other benefits for producers, processors, and consumers which tend to expedite the orderly flow of livestock and poultry and their products in interstate and foreign commerce. It is therefore declared to be the policy of Congress to provide for study and research to develop improved methods of handling, transporting, and slaughtering, and to encourage acceptance and use of such methods to the end that livestock and poultry shall be handled, transported, and slaughtered only by humane methods.

SEC. 2. The Secretary of Agriculture is authorized to conduct, assist, and foster research, investigation, and experimentation to develop and to encourage the adoption of improved methods of handling, transporting, and slaughtering livestock and poultry.

SEC. 3. To assist in implementing the provisions of section 2, the Secretary is authorized to establish an advisory committee. The functions of the advisory committee shall be to consult with the Secretary and other appropriate officials of the Department of Agriculture and to make recommendations relative to (a) the research authorized in section 2; and (b) obtaining the cooperation of the public, producers, farm organizations, industry groups, humane associations, and Federal and State agencies in the furtherance of such research and the

adoption of improved methods. The chairman of the committee shall be an official of the Department of Agriculture designated by the Secretary. The committee shall consist of not more than eight members other than the chairman and shall be appointed by the Secretary and shall include representatives of (a) the public, including groups concerned with humane handling of animals, (b) producer and industry groups, and (c) scientific and professional groups. The committee shall meet at the call of the Secretary or his designee. Committee members other than the chairman shall not be deemed to be employees of the United States and are not entitled to compensation, but the Secretary is authorized to allow their travel and subsistence expenses necessary in connection with their attendance at meetings called by him or his designee for the purpose of this section.

SEC. 4. The Secretary of Agriculture shall report to the Congress on January 1, 1959, and annually thereafter concerning actions taken pursuant to this Act.

SEC. 5. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

[H. R. 6422, 85th Cong., 1st sess.]

A BILL To require the use of humane methods in the slaughter of livestock and poultry in interstate or foreign commerce and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, as used in this Act—

(a) The term "commerce" means commerce (1) among the several States or with foreign nations, (2) in any Territory of the United States or in the District of Columbia, (3) between any such Territory and another, (4) between any such Territory and any State or foreign nation, or (5) between the District of Columbia and any State, Territory, or foreign nation;

(b) The term "Secretary" means the Secretary of Agriculture;

(c) The term "person" means any individual, partnership, corporation, or association;

(d) The term "slaughterer" means any person regularly engaged in the business of (1) purchasing livestock or poultry in commerce for purposes of slaughter or (2) slaughtering livestock or poultry for the sale in commerce of meat, meat products, poultry, or poultry products;

(e) The term "livestock" means cattle, sheep, swine, horses, and other animals susceptible of use for the preparation of meat or meat products;

(f) The terms "packer" and "stockyard" shall have the same meaning as when used in the Packers and Stockyards Act (7 U. S. C. 191, 202);

(g) The term "approved method" of slaughtering shall mean any of the following:

(1) In the case of livestock, rendering such livestock insensible before bleeding or slaughtering, by mechanical, electrical, chemical, or other means determined by the Secretary to be rapid, effective, and humane;

(2) In the case of poultry, instantaneous severing of the head from the body or, if poultry is otherwise cut or stuck, by first rendering such poultry, insensible by mechanical, electrical, chemical, or other means determined by the Secretary to be rapid, effective, and humane;

(3) Slaughtering in accordance with the requirements of any religious faith.

SEC. 2. (a) Livestock and poultry shall be slaughtered by an approved method.

(b) Livestock and poultry shall not be shackled, hoisted, cast, or otherwise brought into position for slaughter by any method that causes pain to the animals or fowl.

SEC. 3. Any person who by any act or omission violates any provision of section 2 shall be punished by a fine of not more than \$1,000, or by imprisonment for not more than one year, or both.

SEC. 4. The Secretary shall promulgate such rules and regulations as may be necessary to carry this Act into effect.

SEC. 5. This Act shall take effect on the date two years after the date of enactment. Upon a showing of good cause the Secretary may by order exempt any person from compliance with any provision of this Act for an additional period not to exceed one year.

[H. R. 6509, 85th Cong., 1st sess.]

A BILL To require the use of humane methods in the slaughter of livestock and poultry in interstate or foreign commerce, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, as used in this Act—

(a) The term "commerce" means commerce (1) among the several States or with foreign nations, (2) in any Territory of the United States or in the District of Columbia, (3) between any such Territory and another, (4) between any such Territory and any State or foreign nation, or (5) between the District of Columbia and any State, Territory, or foreign nation;

(b) The term "Secretary" means the Secretary of Agriculture;

(c) The term "person" means any individual, partnership, corporation, or association;

(d) The term "slaughterer" means any person regularly engaged in the business of (1) purchasing livestock or poultry in commerce for purposes of slaughter, or (2) slaughtering livestock or poultry for the sale in commerce of meat, meat products, poultry, or poultry products;

(e) The term "livestock" means cattle, sheep, swine, horses, and other animals susceptible of use for the preparation of meat or meat products;

(f) The term "poultry" means any fowl susceptible of use as human or animal food;

(g) The term "approved method" of slaughtering shall mean any of the following:

1. In the case of livestock, rendering such livestock insensible before bleeding or slaughtering, by mechanical, electrical, chemical, or other means determined by the Secretary to be rapid, effective, and humane;

2. In the case of poultry, instantaneous severing of the head from the body or, if poultry is otherwise cut or stuck, by first rendering such poultry insensible by mechanical, electrical, chemical, or other means determined by the Secretary to be rapid, effective, and humane;

3. Slaughtering in accordance with the requirements of any religious faith.

SEC. 2. (a) Livestock and poultry shall be slaughtered by an approved method.

(b) Livestock and poultry shall not be shackled, hoisted, cast, or otherwise brought into position for slaughter by any method that causes pain to the animals or fowl.

SEC. 3. Any person who by any act or omission violates any provision of section 2 shall be punished by a fine of not more than \$1,000, or by imprisonment for not more than one year, or both.

SEC. 4. The Secretary of Agriculture is authorized and directed to appoint an Advisory and Research Committee consisting of not more than ten members, chosen from the following classifications: the Department of Agriculture, the national organizations of slaughterers, the trade-union movement engaged in slaughterhouse work, livestock growers, societies of the humane movement in the United States, and persons familiar with the requirements of ritualistic slaughtering. Committee members shall serve at the pleasure of the Secretary, who may replace a member, or fill a vacancy, at any time. The Committee shall advise the Secretary concerning questions arising in the administration of this Act, including in appropriate cases recommendations to the Secretary pursuant to section 6 hereunder. The Committee shall also conduct a continuing study of methods of slaughter of livestock and poultry with the objective of improving and bringing about acceptance of more efficient and more humane methods of slaughter, other than those approved methods designated in section 1 (g) above. The Department of Agriculture shall assist the Committee with such research personnel and facilities as the Department can make available. Any Committee member who is an officer or employee of the Department of Agriculture shall receive no additional compensation for service rendered under this Act. Other members shall receive such compensation, not in excess of \$50 for each day of service, as the Secretary shall prescribe.

SEC. 5. The Secretary shall promulgate such rules and regulations as may be necessary to carry this Act into effect.

SEC. 6. This Act shall take effect on the date two years after the date of enactment of this Act. Upon a showing of good cause and upon the recommendation of the Committee established under section 4, the Secretary may by order exempt any person from compliance with any provision of this Act for such a period of time as the Secretary shall determine to be reasonable, not to exceed one year.

Mr. POAGE. Mrs. Griffiths introduced the first of these humane slaughter bills, and has introduced legislation in the past.

And while we want to hear from all of the authors and to give them all an opportunity to be heard, before the hearings are over, and will do so, I wondered if it would not be appropriate to have Mrs. Griffiths make a statement at the present time before we start the general hearing and then hear possibly the Department of Agriculture witnesses, and then hear the general witnesses and possibly then we will hear those in opposition and then possibly hear the other congressional proponents at another date, because they presumably will be here.

I know a great many of you folks are here at considerable trouble and expense. So if there is not any objection I am going to ask that Mrs. Griffiths come forward.

Mrs. GRIFFITHS. Mr. Chairman, if it is the same to you I would prefer that the people who have come from some distance have an opportunity to give their testimony first, and I can wait until later.

Mr. POAGE. That will be perfectly permissible. In any event, we should have someone, I think, lay out the proposed legislation to the committee and then call the Department.

Mrs. GRIFFITHS. I will do that.

Mr. POAGE. All right.

**STATEMENT OF HON. MARTHA W. GRIFFITHS, A REPRESENTATIVE
IN CONGRESS FROM THE 17TH CONGRESSIONAL DISTRICT OF THE
STATE OF MICHIGAN**

Mrs. GRIFFITHS. Mr. Chairman and members of the committee, in the first place I would like to thank you for holding this hearing. And I would like to thank Mr. Poage and the other members of the committee personally for the interest that they have taken throughout the past year in trying to establish humane methods of slaughter.

I would like to point out to the committee that the United States is one of the only nations in the free world that does not have humane slaughter. That humane slaughter in general was enacted in other nations some 25 and 30 years ago; but that this Nation has never seen fit to enact such legislation.

Of course, if slaughterhouses had glass walls we would have had humane slaughter a long time ago. But they do not have.

The bill which I have introduced, H. R. 176, sets up the requirements of humane slaughter. That is, that the animal be rendered insensitive to pain before the killing process starts.

In beef animals it would be possible to do so by a captive bolt pistol which is quite inexpensive.

In the slaughter of hogs and of lambs, other methods would have to be instituted.

The Hormel Meat Packing Co. has already instituted humane slaughter. They have found not only that they produce a better meat but it saves a great deal for them. It results in less bruising of the animal and less meat is wasted and less leather wasted. It results in less injury to the human beings employed in meatpacking houses. It is the most dangerous occupation there is. They have more injuries in meatpacking houses than any place else.

Of course, it does not all come from the slaughter process, but some part of it does.

I would like to say in the beginning that while I have great respect for the gentleman from South Carolina who introduced House bill 5820, that the difficulty with that bill is that it sets up a study commission. It delays the institution of humane slaughter.

I urge you to pass H. R. 176 in order that we may have humane slaughter yet in our lifetime and delay this matter no further.

If you have any questions I will be glad to answer them.

Mr. POAGE. Thank you very much.

I think we better move on as fast as we can. We very much appreciate your being here.

I think possibly that we should now ask Dr. Clarkson and Dr. Miller to come forward.

We will be glad to hear from either one or both of you gentlemen. We have just a moment ago received a report from the Department. Neither counsel nor I have had an opportunity to find out whether it is favorable or unfavorable because we have just received it, but we will be glad to have you gentlemen present the views of the Department.

Dr. CLARKSON. Mr. Chairman, if we may we would like each to make a brief statement.

**STATEMENT OF DR. M. R. CLARKSON, DEPUTY ADMINISTRATOR,
AGRICULTURAL RESEARCH SERVICE; ACCOMPANIED BY DR. A. R.
MILLER, DIRECTOR, MEAT INSPECTION DIVISION, AGRICUL-
TURAL RESEARCH SERVICE, UNITED STATES DEPARTMENT OF
AGRICULTURE**

Dr. CLARKSON. My name is M. R. Clarkson. I am Deputy Administrator of the Agricultural Research Service.

We appreciate the opportunity you have given us to comment on House bills 176, 2880, 3029, 3049, 5671, 5820, and 6422, which are designed to promote the use of improved methods of humane handling of livestock and poultry in interstate or foreign commerce.

There is widespread interest in this legislation. It is important, therefore, that the Department's position be clear.

We emphatically favor humane slaughter by any method that is found to be practicable and workable. The Department recommends the enactment of H. R. 5820 which would provide an orderly approach to this objective and would, in addition, provide for a coordinated national effort to improve the humane handling and transport of livestock and poultry which involve repeated handling of these animals during the marketing process from farm to slaughter.

H. R. 5820 would authorize the Secretary of Agriculture to conduct, assist, and foster research, investigation, and experimentation to develop and encourage the adoption of improved methods of handling, transporting, and slaughtering of livestock and poultry.

The bill would authorize the Secretary to appoint an advisory committee composed of nine members who would consult and advise him in carrying out the proposed legislation.

The bill would provide for the Secretary to report to the Congress annually, commencing January 1, 1959, concerning actions taken pursuant to the legislation.

The Department is opposed to the enactment of the other bills listed above. The enactment of mandatory Federal legislation backed with the threat of criminal prosecution for those operators engaged in interstate commerce is not a satisfactory way of handling a situation that requires so much careful study and development to bring together the factors of practicality and humane handling.

A practical approach should be taken to devise and to encourage and promote the use of improved methods for the humane handling, transporting, and slaughtering of livestock and poultry as is provided in H. R. 5820.

No one has yet devised a method of slaughter that does not involve some pain. Yet food animals must be slaughtered, and attention must be directed toward improvements in equipment and techniques, the adoption of more rapid and orderly methods of handling the animals just prior to slaughter, and of course the avoidance of abuse.

This orderly approach in our view represents a method that is preferable to the enforcement of mandatory Federal legislation.

Judgment of a procedure or of a device to determine whether it is in fact "humane" when slaughtering livestock or poultry is extremely difficult, since no one has developed the basic criteria for evaluating animal reactions to stimuli that might cause pain or fright.

Wide differences of opinion are usually expressed about the practicality as well as the humaneness of any new method proposed.

Each such proposal must be carefully considered and finally tested in the plants to determine these issues.

Much fundamental knowledge is lacking upon which to base an opinion of the acceptability of one method over another from the standpoint of humaneness. Research is needed to develop information which may shed light on this aspect of the problem. H. R. 5820 would provide for this type of approach.

Research would be predicated on the assumption that the unconscious animal suffers no pain and that the end point with respect to pain would be insensibility.

Determination of what insensibility is and when it is reached is necessary. The effects of variations in time and procedure on the resultant meat must be appraised, and objective observations of the degree of excitement and pain in the subject animals must be made.

Electroencephalography and electrocardiography observations should be made to establish objective patterns of the nervous and cardiac changes reflecting degrees of excitation and shock. Information gained from such work would be helpful in assessing the humane aspects of proposed procedures and devices.

It must not be overlooked that factors contributing to inhumane handling of animals include not only the design of facilities, the operating procedures, and the attitudes of persons involved, but also the characteristics, tendencies, and the often violent action of the animals themselves.

Fear and apprehension of the unknown sometimes cause animals to injure themselves and other animals even though no direct force had

been applied to them. This is especially true of animals that have been raised on the range or farm without confinement or individual handling.

Farmers obtain about 33 percent of their income from the sale of livestock and poultry for meat. Industry has a large stake in the handling, transporting, slaughtering, and processing of livestock and poultry. All must be concerned with the humane treatment of livestock and poultry.

This country places great reliance on its livestock and meat industry for the essential proteins in our ever-improving national diet.

The population of the United States is increasing at the rate of 2 million people annually. The per capita consumption of meat is now about one-third more than it was 20 years ago. Over 130 million animals and 1,400 million poultry must be processed each year to satisfy the demand.

Some years ago many groups interested in this field of humane handling of animals formed which is now called Livestock Conservation, Inc. The Department has worked closely with them to develop information on more humane methods of handling all classes of livestock and in the use of such methods.

Speed in the handling of livestock and poultry before and at the time of slaughter tends to reduce pain and injury. Livestock transportation and holding facilities have been improved in many ways to prevent suffocation, overheating, slipping, and other injuries to animals.

These gains are the direct results of experimental and developmental work, with the farmers, industry, humane associations, and the Department of Agriculture cooperating. Such an approach brings about the orderly progress that consumers, farmers and the livestock and meat industry have a right to expect.

In addition to this cooperation with farmers and others, the Department of Agriculture for many years has administered laws designed to promote the humane handling of livestock under certain limited conditions.

The so-called 28-hour law provides for the proper feeding and watering of livestock in interstate rail shipments.

Another act governs the handling of livestock for export overseas to assure that adequate and safe quarters will be provided on board ship or plane and that sufficient provisions will be made for feed and water in transit.

In both of these cases the livestock are not in the possession of the owner but are in the custody of others who may not be expected to feel the same degree of responsibility for their handling.

This aspect of the situation is emphasized in many cases by the fact that the railroad or shipping line has control of the only practical means of transport. Under such circumstances the administration of these laws by the Department of Agriculture rather than by local authorities is appropriate.

But this is under quite a different principle from that which would be involved in imposing the supervision of the Federal Government on a farmer or on a packer who is handling his own livestock and poultry on his own premises.

The Department of Agriculture accepts its share of the responsibility to develop and encourage the use of all practical improvements

in the humane handling, transporting, and slaughtering of livestock and poultry.

We believe the research and educational process applied to all stages of such handling will produce sound and enduring results and serve the best interests of consumers, processors, and producers.

Mr. Chairman, Dr. Miller has a short statement also.

Mr. POAGE. Thank you, Dr. Clarkson. We will be glad to hear from you now.

Dr. MILLER. Mr. Chairman and members of the committee, I am A. R. Miller, Director, Meat Inspection Division, Agricultural Research Service, of the Department of Agriculture.

Our meat inspection program extends to approximately 500 slaughterers in this country who process annually more than 100 million food animals.

In connection with our meat inspectional activities we have observed practices used in the handling of food animals as they are brought from the farm to the slaughtering establishment and in the establishment.

In connection with this experience we become familiar with the attitude of the meatpacker and his interest in the handling of food animals as they are brought to his plant and handled within his plant.

We find that most meatpackers are very interested in and go to a great deal of trouble and expense in an effort to avoid injury to the animal and provide such comforts as proper feed and water and protection against extremes of heat and cold.

They give attention to such details as the paving of pens and runways with materials that will provide sure footing. They avoid overcrowding animals in the pens so as to permit the animals to rest in the holding pens.

They eliminate sharp obstacles in runways and forbid their drivers to use clubs and sticks which might injure the animal. These are only examples of many details which receive attention by the American meatpacker in providing food animals with those facilities that minimize discomfort and injury.

As might be expected, the extent to which these details receive attention varies throughout the industry.

Of course, all of these things are connected with the economic interest which the meatpacker has in his property. Nevertheless, all of the things that I have mentioned bear an immediate and direct relationship to the subject of humane handling of animals.

Furthermore, there is reason to believe that the packer has an awareness for humane principles in the handling of animals entrusted to his care. This applies equally to packinghouse workmen. Certainly, neither of these groups condone viciousness in handling food animals or animals of any kind.

As humane handling of animals becomes the subject of legislation, those affected by the law are entitled to know with some degree of certainty how they might comply with the law with reasonable confidence that they will accomplish the objectives of the legislation.

In this connection the Department has recommended against the enactment of the so-called mandatory legislation contemplated in bills represented by H. R. 176, H. R. 2880, H. R. 3029, H. R. 3049, H. R. 5671, and H. R. 6422.

These bills would require the packer to slaughter animals humanely by rendering them insensible before bleeding, using a method approved by the Secretary of Agriculture.

As the Secretary's role is visualized in the administration and enforcement of such legislation, he must have available methods that meet the criteria of the legislation.

We cannot say that such methods may not be available or may not be developed. They must, however, be identified with certainty before they can be recommended or prescribed for use.

In this connection, the Department recommends enactment of H. R. 5820 that would enable the Department to undertake the kind of cooperative investigation and development that would identify the most effective methods for humane handling of animals.

From time to time reference has been made to slaughtering methods used in Europe. Europe has on occasion been cited as an example to be followed in this field.

Actually, Europe is an example of how important it is that slaughtering methods be carefully studied before being legislated into use rather than after being installed and in use.

On November 27, 1954, there was held at Utrecht in the Netherlands a seminar to study the method of slaughter most commonly in use in Europe. The seminar reviewed the method from the point of view of humane handling of animals and as to its practicality.

This slaughtering method that has been used widely in Europe for years was seriously questioned on both these points. Some members of the seminar commented that there is uncertainty that the humaneness of the method has been satisfactorily resolved.

It was pointed out, also, that there are impractical aspects attending its use that should be studied. It might be observed that this method is still the one most widely used in Europe.

This reference to slaughtering practices in Europe is not made for the purpose of discrediting any slaughtering device used there. It is used as an example to illustrate the problem that would confront the Secretary of Agriculture were he required to prescribe humane slaughtering methods.

A method must be supported by such study, investigation and development that will gain its adoption and assure the packer who installs the method that he can safely meet any criticism with an authoritative position that he is in fact using a humane method of slaughter. The general public, too, would receive assurance that the best possible methods are being used.

In summary, the Department recommends enactment of H. R. 5820, which would enable the Department of Agriculture and American industry to provide our livestock with the maximum benefits that would derive from an orderly development of humane methods.

Mr. POAGE. Thank you, Dr. Miller.

Dr. Clarkson, I think that we should have some idea how long the Department assumes they would have to study this problem before they could arrive at some decision.

What is your idea of that? How long do you think you would need? That is, to study this problem?

Dr. CLARKSON. Mr. Chairman, I do not believe that our position should be looked at from that standpoint. We are not suggesting a

study commission that will put into effect a program of investigation and then report on certain specific methods which then must be put into effect universally.

Mr. POAGE. I know, but how long?

Dr. CLARKSON. We contemplate a continuing program.

Mr. POAGE. If we are to wait until such time as you would never study any further on it, that would go on forever.

It seems to me that we should be practical about this thing. And if we haven't arrived at any knowledge of this problem after all of these years, that we assume you would not arrive at any more knowledge of it in the next 40 years.

I am not saying that we ought not to study it. We ought to continue to study it. That is why I believe with these bills that the Department should prescribe humane rules within limitations, and where limitations seem to be unfair, to come back to Congress, of course.

If you are just suggesting an unlimited study period with no limit whatsoever it seems to me we would just not get any bill.

I think you testified that you were now cooperating with some group and had been studying with these methods for a good many years. I do not not know whether you or Dr. Miller made that statement.

Dr. CLARKSON. In answer to your question there would be a great deal of difference as contrasted with the present and the past. The handling of livestock through the plants as on the farm or in any other activity is under the surveillance of localities through their authorities and through the various humane associations in those areas. These groups have demonstrated their effectiveness in this country when they are in a position to back proved methods with the weight of their interests.

The Department has always lent its encouragement to the development in this field, but the Department has never taken the position of leadership which is envisaged by this legislation with specific effort to determine through research and development and practice, improved methods all along the line for the humane handling of livestock; and, particularly, in the slaughter methods.

So that we would have a decidedly different aspect of the affair than we have had in the past.

Mr. POAGE. On page 4 of your statement you said:

Many groups interested in this field of humane handling of animals formed what is now called Livestock Conservation, Inc.

The Department has worked closely with them to develop information on more humane methods of handling all classes of livestock and in the use of such methods.

Dr. CLARKSON. Yes.

Mr. POAGE. I may have drawn a wrong inference from it, but I gathered that is what you proposed to continue.

Dr. CLARKSON. No; it isn't. The Livestock Conservation, Inc., is made up of representatives of the humane societies and associations and representatives of industry.

And the Department does work with them. It has been a matter of development through all of their resources to improve methods of handling of livestock generally, but under the legislation that the Department is supporting the Department would be in a position of

exercising leadership and, also, of putting its own resources into specific study and experimentation.

Mr. POAGE. It has been suggested, maybe in an effort to expedite this matter and to get as many of those who are here as possible to make their statements, that we ask the Department if you could come back at a later date, because we will want to go into this more fully.

I think it is important to know what you have in mind here. We do not want to leave it this way. But we will not be able to hear these other witnesses if we are going into this matter in the detail it deserves.

I wonder if you could come back at some later date?

Dr. CLARKSON. We will be at the disposal of the committee. I would like to ask this: I have some other commitments during the day—whether you intend to do it today.

Mr. POAGE. No. We will never get to you today. We will communicate with you and find out when you can come back, and we can meet with you.

Dr. CLARKSON. We will respond to any request you make.

Mr. POAGE. Then I believe we have next Dr. Rutherford T. Phillips, executive director of the American Humane Association.

Dr. Phillips, we will be glad to hear from you.

Mr. MORGAN. I was going to make a few introductory remarks before Mr. Phillips spoke. I am the attorney for the association.

Mr. POAGE. We will be glad to hear from you.

Mr. MORGAN. Might I be heard before Mr. Phillips?

Mr. POAGE. Yes, sir.

STATEMENT OF JO V. MORGAN, JR., ATTORNEY, THE AMERICAN HUMANE ASSOCIATION

Mr. MORGAN. I am Jo V. Morgan, Jr., of Washington, D. C., attorney for the American Humane Association, an 80-year-old national association with headquarters in Denver, Colo., which is a federation of over 500 humane societies throughout the country.

Its executive director, Mr. Rutherford T. Phillips, and Mr. John C. Macfarlane, one of the American Humane Association members on the joint committee for improved methods of humane slaughter of the American Humane Association and the American Meat Institute, and also director of livestock conservation for New England Livestock Conservation, Inc., and Massachusetts, SPCA, will testify orally today.

I would like to request the chairman for permission for Mr. Carlton E. Buttrick who is able to be here from Boston, past president of the American Humane Association, who has a written statement to offer in a moment, that he might have just a minute or two to orally add to his remarks, if that could be arranged.

Mr. POAGE. I think it can be arranged.

Mr. MORGAN. Thank you.

Also written statements will be offered by—

1. C. Raymond Naramore, of Rochester, N. Y., a director of the American Humane Association.

2. William T. Phillips, of Philadelphia, a director of the American Humane Association.

3. Carlton E. Buttrick, of Boston, past president of the American Humane Association.

4. Clifton E. Johnson, of Detroit, chairman of the American Humane Association's Committee on Animal Legislation.

5. J. J. Shaffer, of Chicago, a member of the American Humane Association's Committee on Animal Legislation.

6. Mr. Blair F. Claybaught, a past vice president of the American Humane Association, and now president of the Federated Humane Societies of Pennsylvania.

7. Mrs. Arthur F. Perkins, president of the Richmond, Va., Society for Prevention of Cruelty to Animals.

8. Raymond Hanfield, who is executive assistant of the American Society for the Prevention of Cruelty to Animals.

All of these people are, in addition, leaders in their local humane societies or federations, and except for Mr. W. T. Phillips, are present, but due to limitation of time will not testify orally.

I respectfully ask that their statements be made a part of the record of this hearing.

Mr. POAGE. Without objection we will include the statements.

Mr. MORGAN. The position of the American Humane Association on the bills pending before this committee is that it favors enactment of a compulsory humane slaughter bill. Of the bills before your committee, H. R. 176, 2880, 3029, 3049, and 6509 are compulsory bills. H. R. 5820 is not.

The original S. 1636 of the last Congress was introduced in the Senate at the request of the American Humane Association. This session, representatives of the American Humane Association conferred at length with the Senate committee staff, which conferred also with other interested parties, including those interested in religious ritualistic slaughtering.

As a result the text of S. 1497 was evolved which the American Humane Association has gone on record as supporting in the Senate.

At our request, an identical bill has been introduced in the House as H. R. 6509. It, like most of the other bills before you, is a compulsory bill, and we support it.

Mr. Phillips and Mr. Macfarlane orally, and the others I have mentioned by their written statements, are here today to tell you why the American Humane Association urges a favorable support of H. R. 6509.

They are here today to tell you why the American Humane Association urges a favorable report on H. R. 6509 but if I might add something parenthetically, the important thing is the passage of a compulsory bill.

The various differences in the compulsory bills which are before you, are minor in comparison to the difference between those bills and H. R. 5820 which is a noncompulsory bill.

We urge the committee especially, irrespective of what text is most favorably considered, that whatever bill is reported favorably that it be a compulsory bill.

And if I may now introduce Mr. Phillips, our executive director. (The prepared statements of Mr. C. Raymond Naramore, vice president and executive director of the Humane Society of Rochester

and Monroe County, N. Y.; William T. Phillips, operative manager, the Pennsylvania Society for the Prevention of Cruelty to Animals; Carlton E. Buttrick, president of the Animal Rescue League of Boston and an officer and director of New England Livestock Conservation, Inc.; Clifton E. Johnson, executive secretary-manager, the Michigan Humane Society, Detroit, Mich.; J. J. Shaffer, managing director of the Anti-Cruelty Society of Chicago; Mrs. Blair F. Claybaugh, president of the Humane Society of Harrisburg, Pa., and president of the Federated Humane Societies of Pennsylvania; Helen N. Perkins, president, the Richmond Society for the Prevention of Cruelty to Animals; and Raymond J. Hanfield, executive assistant, the American Society for the Prevention of Cruelty to Animals, New York, N. Y., are as follows:)

STATEMENT OF C. RAYMOND NARAMORE, VICE PRESIDENT AND EXECUTIVE DIRECTOR OF THE HUMANE SOCIETY OF ROCHESTER AND MONROE COUNTY, N. Y., A MEMBER OF THE BOARD OF DIRECTORS OF THE AMERICAN HUMANE ASSOCIATION AND CHAIRMAN OF THE AHA COMMITTEE ON AWARDS FOR HUMANE SLAUGHTERING

Mr. Chairman and members of the committee, my name is C. Raymond Naramore. I am vice president and executive director of the Humane Society of Rochester and Monroe County, N. Y., a member of the board of directors of the American Humane Association, and chairman of the American Humane Association Committee on Awards for Humane Slaughtering.

Nearly 7,000 members of the Humane Society of Rochester and Monroe County, N. Y., have long been disturbed by the knowledge of common practices in the American slaughterhouses.

Three years ago the board of directors of the Humane Society of Rochester and Monroe County appointed a committee on humane slaughtering. This committee has worked actively with the American Humane Association in its attempts to bring about improved slaughtering methods. It has continually brought to the attention of the members of the Humane Society of Rochester and Monroe County the great need for instituting humane slaughtering on the killing floors of the meat packinghouses in the United States.

We in Rochester and Monroe County firmly believe the progress of humane thinking makes this the right time for the enactment of legislation for humane slaughtering, for we are convinced that a great tide of desire for humane killing methods has been sweeping across the country.

In Rochester and Monroe County, meatpackers have unanimously stated to our Humane Slaughter Committee their desires to use practical methods of humane slaughtering in their business of meatpacking.

Many leaders in the national meat industry have said that they too are desirous of using humane killing methods. The National Provisioner, leading publication of the meatpacking industries, has stated editorially: "We believe that the passage of some kind of humane slaughter law is not too far off."

There are now available several improved methods of humane killing. These have been tried and found efficient, humane, and economical.

The utilization of these now satisfactory devices for humane slaughtering will give moral impetus to the whole humane movement in the United States, create good public relations between the meat industry and the millions of humanitarians, bring more efficient and economical processing to the packers, and eliminate the horrible, unnecessary cruelty, pain and suffering that is today such a black blot on America.

Necessary suffering is bad. Unnecessary is criminal.

The 7,000 members of the Humane Society of Rochester and Monroe County ask that you gentlemen of Congress wipe out this cruelty.

We ask you to act favorably upon compulsory humane slaughter legislation.

We ask you to save from suffering countless creatures each year.

We ask you to pour forth the milk of human kindness.

STATEMENT OF CLIFTON E. JOHNSON OF THE MICHIGAN HUMANE SOCIETY, DETROIT, MICH.

As a person who has for many years been associated with animal welfare work, I have long deplored the suffering undergone by our so-called meat animals. I have especially deplored that which is inflicted upon animals during the process of being dispatched for slaughter. As a humanitarian, this suffering has been particularly offensive since it radiates a baseness that we have sought to stamp out through humane teaching and application of kind principles in every association with the animal world. I feel that to inflict unnecessary suffering, when such suffering can be avoided, is to act in direct contradiction to the American way of life—a manner of life that came into existence as a result of a desire to extend kindness and fair play to all creatures. If we are to exemplify sincerity, then we must surely extend our principles to all forms of life dependent on we humans. Certainly our meat animals come well within this latter category.

It stands to reason that any animal slaughtered in a manner conducive to a quick and painless death, will unquestionably produce a greater amount of edible product in the grading out during butchering. I firmly believe that any undue reaction produced by the application of inhumane methods of killing only tends to render some parts of the edible product useless. If death is not instantaneous, or brought about while the animal is in a relaxed state, struggling is bound to ensue, thus adding tremendous suffering to whatever economical loss can be proven.

STATEMENT OF CARLTON E. BUTTRICK, PRESIDENT OF THE ANIMAL RESCUE LEAGUE OF BOSTON AND AN OFFICER AND DIRECTOR OF NEW ENGLAND LIVESTOCK CONSERVATION, INC.

Mr. Chairman and members of the committee, my name is Carlton E. Buttrick. I am president of the Animal Rescue League of Boston and an officer and director of New England Livestock Conservation, Inc.

I wish to thank you for the opportunity to present the position of the proponents of compulsory humane slaughtering and, further, to say that there are literally thousands of members of the organizations I represent who are vitally concerned and who sincerely hope that passage of humane slaughter legislation will be accomplished in this session of Congress.

I believe that the passage of legislation to require the use of humane methods in the slaughter of livestock and poultry would be a tremendous step forward in the treatment of millions of this country's food animals. Many years ago the Congress saw fit to pass legislation which would require animals in transit to market to be rested, watered, and fed every 24 to 36 hours, but no law or regulation has been adopted to insure the humane slaughter of these animals when they reach their destination. Doesn't this seem a little incongruous?

The bills presently being studied by your committee will provide an understandable and enforceable law under which no slaughterer would be permitted to hoist, bleed, or slaughter any livestock or poultry unless such livestock and poultry had first been rendered insensible by mechanical, electrical, chemical or other means determined by the Secretary of Agriculture to be rapid, effective, and humane. For years there was the excuse that an improved method of humane slaughter was lacking. This excuse is no longer valid. The Remington humane animal stunner, the captive bolt pistol, the CO₂ immobilization chamber and the electric knife now make humane slaughter practicable and economically sound. Is not this an opportune time to bring the slaughter industry in our country up to European standards? Given the incentive of legislation, I believe American resourcefulness and desire for perfection will result in the United States eventually leading the nations of the world in humane slaughtering.

It has been only when regulation and laws have forced their use that great experiments and discoveries have been put into practice on a national scale.

Tuberculin to test and discover tubercular bovine animals was in the demonstration status for many years with but limited use. It was not until compulsory methods and laws were passed in the States and backed by the United States Department of Agriculture that the disease was conquered.

The pasteurization of milk was known and recommended for over 25 years, but little progress was made until State and Federal laws required pasteurization throughout the country.

So it will be with the adoption of humane methods of slaughter. With the methods now known it seems reasonable that the time has come to put these methods into general use by legislation.

Packers who have adopted the available methods have found them safer, more efficient and cleaner, as well as more humane.

It is particularly noteworthy that many newspapers across the country have editorially and otherwise favored the adoption of humane slaughter methods. The Boston Herald on Thursday, January 24, 1957, editorially commented:

"The poleax and the scalding tank have been the symbols of 20th century civilization. Yet if Congress passes humane slaughter legislation at this session, much will have been accomplished to curb misery. And, perhaps, much for the human spirit as well. The toleration of the poleax is an evidence of a deeper social ill than mere inefficiency. Across our vaunted prosperity and liberty is written an awful slogan: 'After all, they're only animals.'

"But are they, really?"

Therefore, on the basis of present knowledge, and of the benefits which would result, my plea today is for a favorable report on the humane slaughter legislation before you so that it may be brought before the Congress for consideration and adoption.

STATEMENT OF WILLIAM T. PHILLIPS, OPERATIVE MANAGER, OF THE PENNSYLVANIA SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

The Pennsylvania Society for the Prevention of Cruelty to Animals has been cognizant of the cruelty practiced in the slaughter of food animals during the 90 years of its existence, and has endeavored always to minimize these cruelties.

We know that compulsory legislation is the only means of combating this evil, which is a blot upon our civilization.

We urge the committee to favorably consider this bill and to recommend its passage.

STATEMENT OF J. J. SHAFFER, MANAGING DIRECTOR OF THE ANTICRUELTY SOCIETY OF CHICAGO

I am J. J. Shaffer, managing director of the Anti-Cruelty Society, an Illinois charitable organization with offices in Chicago. I also speak as a member of an American Humane Association committee that is active in studying improved methods of slaughter in cooperation with the American Meat Institute.

We have a pleasant working relationship with the institute and with many individual packers, notwithstanding that there is a difference in our thinking on humane slaughter. We are concerned largely with the probable amount of pain and suffering experienced by a given animal going to slaughter by one method as compared with another. On the other hand, the thinking of most packers is geared to the dollars and cents of economical, highly competitive operation. We respect their view along profit-and-loss lines, and we hope they respect our view that animals deserve a merciful death, even if mercy imposes initial inconvenience and modest capital outlay.

In our judgment, the need for improved slaughter techniques is so great and the foreseeable voluntary adoption of such techniques so limited that there should be no delay in the passage of mandatory legislation.

As we pointed out at a Senate hearing on this subject last spring, we would not ask for passage of a law if there were convincing evidence that all units of the packing industry are aggressively engaged in the testing and adoption of improved methods. We have not seen such evidence.

In October of 1952, a representative of the Anti-Cruelty Society attended a convention of the American Meat Institute where the industry was formally introduced to the then-new Hornel method of carbon dioxide immobilization of hogs. The seemingly enthusiastic reception given an address and film on the subject made us think that the method soon would be in wide use, but here it is 1957—4½ years later—and there is only a token trend within the industry to do more than try to find reasons why this method "won't work in my plant."

About 250 million pigs in the United States have gone to slaughter in other plants in the old-fashioned, conscious hoist-and-slit way since the discovery went

into practical operation in the Hormel schedule. Picture the mail being unloaded in Congressmen's offices if people by the millions were dying in fear and pain because physicians were arguing among themselves and refusing to use a proved drug or other treatment known to prevent fear and pain at death, solely because it costs 2 or 3 cents more per patient or because it requires a change in their way of handling cases.

That may be an extreme comparison, yet it reflects what is happening in livestock slaughter.

The Remington stunner, an instrument which stuns cattle with a precision blow that excels results with the widely used sledge hammer, is another new and superior humane slaughter aid on which we pin high hopes. Two leading packers and a few small ones have been giving it an exhaustive trial and have expended a great deal of time and money to prove its worth.

The Remington tool, like the Hormel method for hogs, was officially unveiled at a national convention of the American Meat Institute (1956), following several months of study. It bids to get faster acceptance than the carbon dioxide apparatus because it is relatively inexpensive (about \$220 per instrument) and not costly to maintain or operate in terms of outlay per head slaughtered. We question, however, whether even this simple answer to humane killing will be nationally accepted without compulsion. We say this with full respect to the institute, which has taken leadership in proving the suitability of the tool, and with gratitude to plants that have pioneered in putting it to use in knocking pens.

The fact that leading plants which tested the Remington stunner were sometimes discouraged and almost ready to abandon it, due to a great many early mechanical difficulties, suggests to us that other companies might not be as persevering as these leaders in the absence of legislative compulsion.

We know that compulsion is a disagreeable word in our American way of free enterprise. We don't blame packers for resenting this approach. Nevertheless, we ask packers, and all Members of Congress who may have a doubt, to take a fresh look at the problem and try to view it this way:

First, while the proposed law does involve compulsion, it does not predicate regimentation or unfair demands. The final decision as to whether packers will be required to use any given method will be based on careful study by the Secretary of Agriculture and his advisers and on conferences with the packers. We hope that all will realize that humane organizations want to help people who deal in livestock, not put them out of business, so please do not think that responsible humane workers, as represented by the American Humane Association, will make unworkable requests of the law.

Second, we have gone too far to turn back. Congress, by concerning itself with this problem, already has spurred an unprecedented amount of interest within the industry. Money has been poured into the project by some private firms, all packers are sitting up and taking notice, but the vast majority are standing by to see which way congressional decision will go. If it goes against the passage of a law, everything thus far gained may be lost from a humane standpoint.

Third, let's be realistic about the public and slaughter talk. Packers always have shied away from public mention of the fact that T-bone steaks and pork chops stem from a bloody spectacle on the killing floor—and we understand why. But the lid is off now, the story is out and circulating widely, so it would seem that this phase of packing industry public relations must undergo a change to having a counterstory about a peaceful end instead of hiding the unappetizing details of most present slaughter methods.

Finally, we think that the meatpacking industry will profit in the long run from humane slaughter, because kindness is good public relations and good business. We are confident, from our gratifying dealings with packers, that the cruelty now existent in slaughter operations is not intentional and that everyone concerned would like to eliminate it. The trouble has been that too many people have taken harsh killing methods for granted, as if unavoidable. We now know that most of the pain-causing practices can be eliminated, and more improvements will come as positive thinking is directed at the problem.

Over 100 million head of large livestock go to slaughter annually in federally inspected plants, plus hundreds of millions of poultry.

The least we can do is to make it as easy as possible for them to die for us.

STATEMENT OF MRS. BLAIR F. CLAYBAUGH, PRESIDENT OF THE HUMANE SOCIETY OF HARRISBURG, PA., AND PRESIDENT OF THE FEDERATED HUMANE SOCIETIES OF PENNSYLVANIA

I have the honor and responsibility of representing a vast amount of citizens of the Commonwealth of Pennsylvania who are members of the 45 active humane societies in our State.

Speaking for them and for myself, it seems absolutely incredible that there should be the slightest opposition to the enactment of legislation to require the use of humane methods in the slaughter of livestock and poultry.

There would be no point in my repeating the testimony that experts have given and will give at these hearings concerning the brutal methods of slaughter that are used in most of the packing plants throughout this country. The facts are revolting and shocking that a highly civilized country like our United States should be so backward in using humane methods of slaughtering.

It is now common knowledge that humane methods are available and are in use by many packers, but the vast majority are too callous and indifferent to adopt the new methods.

It is amazing to me that the public is so ill-informed about what is, in my opinion, a national scandal. If the average person knew the facts as presented at the hearings last May before the Subcommittee on Agriculture and Forestry of the United States Senate, I venture to say that several big packing plants would be driven out of business and some smaller ones which have adopted humane slaughtering methods would be hard-pressed to supply the demand for their products.

My personal opinion, and I hope I do not offend the lawmakers present, is that they, and their counterparts in State legislatures, have been lax in their duty to their constituents in not having enacted humane slaughter legislation long since. Furthermore, I feel that putting off the effective date of enforcement of humane slaughtering is little short of criminal.

I am grateful for the privilege of presenting our views and am very humbly asking passage of this legislation and in the interests of just ordinary human kindness—make humane slaughtering a law.

STATEMENT OF HELEN N. PERKINS, PRESIDENT OF THE RICHMOND SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS, RICHMOND, VA.

Representing the officers, board of directors and members of the Richmond (Va.) Society for the Prevention of Cruelty to Animals I ask your favorable consideration of a humane slaughtering bill that will bring to an end the atrocious conditions and treatment of animals in the slaughtering plants of the United States.

Humane means for killing the animals we depend upon for our food supply are available and in use by many of the large meat-producing companies.

Usage has proven that beyond the humane desire of saving the animals from unnecessary torture these companies are able to operate more efficiently. The cost is negligible and no financial hardship will be imposed due to the tremendous savings made possible through more efficient production with no loss of meat due to carelessness and negligence in handling the animals.

STATEMENT OF RAYMOND J. HANFIELD, EXECUTIVE ASSISTANT, THE AMERICAN SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS, NEW YORK, N. Y.

For at least 5,000 years man has slaughtered his food animals in pretty much the same way insofar as pain and suffering and fright to the animal is concerned. True, modern packinghouse methods are marvels of mechanical and electronic automation in practically every respect save one—inhumaneness to the animal. There is still pain and suffering.

The bills currently offered to the Congress furnish us an opportunity to make the strides necessary to eliminate the evil of inhumaneness.

We are considering a new law to invoke humane slaughtering.

We are considering an old problem dating back to 40 years. The problem is not new; the solution is adequate and has found acceptance in both this country and abroad. A solution to the problem has been in operation in Europe for many years. In the United States we have been reluctant to accept the findings

of our European meatpackers because it had been believed that a humane method would tend to damage a carcass, slow down the belt system—production, and a general attitude that we have followed a set pattern which has afforded profits at minimum costs and production at a minimum cost of man-hours. The meatpackers, it would seem, in some instances, are fearful of having their industry's methods of slaughter saddled. Such is far from the truth.

The American Society for the Prevention of Cruelty to Animals and its thousands of supporters throughout the Nation give its unqualified support to several fine bills requiring humane slaughter regulations and identified as H. R. 176, H. R. 2880, H. R. 3029, H. R. 3049, and S. 1497. These bills are the result of over 40 years of intensive research to establish:

Humane practical and economical methods and means of rendering an animal insensible to pain and suffering before slaughtering.

A practical solution allowing a 2-year period for conversion from the present methods.

Call for sufficient penalty for violations.

Call for helpful and practical inspections.

The present methods devised to carry out the proposed legislation will actually preserve a carcass, will carry out the eventual slaughter of the animal in a quick, efficient, and safe manner, insofar as the employee is concerned; will increase production in that the method affords quick, effective slaughter in minimum time. The industry on the whole will actually profit by a more scientific operation.

You are referred to a method invoked by the use of a device described as a captive-bolt pistol. The animal is pacified by the use of floodlights which tend to quiet the animal—the captive-bolt pistol is then applied to render the animal insensible in a painless, inoffensive manner. Techniques in applying the captive-bolt pistol have demonstrated without question that this humane medium can be developed to a most efficient, economical, and better way of disposing of an animal. The animal is rendered insensible without excessive fear which tends to affect the quality of the beef, pork, lamb, or meat in general, and without material damage to the carcass.

We are endeavoring to put into being a law that will humanize the meat industry and make it as modern as that in Europe, insofar as humaneness is concerned.

We are confronted with proposed legislation, such as S. 1213, which provides, in substance, further study of the project. Such legislation merely perpetuates the status quo and forestalls, once again, the inevitable. After 40 years we have studied the problem sufficiently to request adequate legislation that will relieve the present pain and suffering that are necessary concomitants of the slaughter of our food animals.

Would we consider a law that would attempt, at this time to set aside the use of Salk polio vaccine, laws pertaining to pure food and drug laws, laws to stall off old-age pensions, social security, child welfare, and the like—of course not. Even in the ancient art of pottery-making has there not been changes. And by the same token, we cannot and must not avoid a good law that tends to promote vital industry. Nor should we avoid the immediate passage of a law that assists the public to lift itself from methods inflicting pain, suffering and fright.

The American people abhor cruelty, especially when such cruelty is not necessary and a carryover from the carriage and horse days. In a country as modern as we pride ourselves to be how can we in conscience and decency continue to condone such senseless, unbusinesslike, impractical means of slaughter in the light of devices on the market that make for efficient, quick, safe, and modern methods of carrying on an important industry.

Mr. POAGE. We will hear from Mr. Buttrick.

STATEMENT OF CARLTON E. BUTTRICK, PRESIDENT OF THE ANIMAL RESCUE LEAGUE OF BOSTON, AND AN OFFICER AND DIRECTOR OF NEW ENGLAND LIVESTOCK CONSERVATION, INC.

Mr. BUTTRICK. Mr. Chairman, I am a past president of the American Humane Association, as Mr. Morgan pointed out, and also a director of New England Livestock Conservation, Inc.

I appreciate your giving me just a moment or two to speak to you on this very important legislation that is before you.

Other speakers will go into the bills and the available humane methods that are now available. But I would like to refer to a remark made by Dr. Clarkson that many years ago Congress saw fit to pass legislation which would require animals in transit to markets be rested and watered and fed every 24 to 36 hours, but no law or regulation has been adopted to insure the humane slaughter of these animals when they reach their destination.

Does not this seem to be a little incongruous to have such a condition?

It has been only when regulation and laws have forced their use that great experiments and discoveries have been put into practice on a national scale.

Tuberculin to test and discover tubercular bovine animals was in the demonstration status for many years with but limited use. It was not until compulsory methods and laws were passed in the States and backed by the United States Department of Agriculture that the disease was conquered.

The pasteurization of milk was known and recommended for over 25 years, but little progress was made until State and Federal laws required pasteurization throughout the country.

So it will be with the adoption of humane methods of slaughter. With the methods now known it seems reasonable that the time has come to put these methods into general use by compulsory humane slaughter legislation.

I think it is particularly noteworthy that many newspapers across the country have editorially and otherwise favored the adoption of humane slaughter methods. The Boston Herald for example, on Thursday, January 24 of this year commented:

The poleax and the scalding tank have been the symbols of 20th century civilization. Yet if Congress passes humane slaughter legislation at this session, much will be accomplished to curb misery. And, perhaps, much for the humane spirit as well. The toleration of the poleax, is an evidence of a deeper social ill than mere inefficiency. Across our vaunted prosperity and liberty is written an awful slogan: "After all, they are only animals."

Therefore, on the basis of present knowledge, and of benefits which would result, my plea today is not for a favorable report on the humane slaughter legislation before you but that this committee will deem it fit to report favorably on a compulsory humane slaughter law.

I thank you gentlemen for giving me this opportunity.

Mr. POAGE. Thank you. We will hear now from Mr. Phillips.

STATEMENT OF RUTHERFORD T. PHILLIPS, EXECUTIVE DIRECTOR OF THE AMERICAN HUMANE ASSOCIATION

Mr. PHILLIPS. Mr. Chairman and members of the committee, my name is Rutherford T. Phillips. I am executive director of the American Humane Association with headquarters in Denver, Colo.

It is my privilege as its executive director to represent the association, the 80-year-old national federation of local and State humane societies, which also counts several thousand individuals interested in the child and animal welfare among its supporters.

The American Humane Association sincerely appreciates this opportunity to express its views on compulsory humane slaughtering legislation.

Also here to speak, or submit statements, for the humane movement are various representatives from the leading humane organizations of this country.

The American Humane Association hopes to secure the approval of your committee for a compulsory humane slaughtering bill. It is our belief that such a bill will provide a clearcut, legal and enforceable law under which no slaughterer would be permitted to bleed or slaughter any livestock or poultry unless such livestock and poultry has been rendered insensible by mechanical, electrical, chemical, or other means determined by the Secretary of Agriculture to be rapid, effective, and humane.

We believe such a bill, as written, is entirely fair since it would allow slaughterers freedom to make their choice of several methods and facilities for approved humane slaughtering, and a time leeway for compliance may be granted by the Advisory Committee for adequate reasons.

Too large a portion of the American slaughtering industry still uses inhumane methods. I am not going to discuss the various forms or kinds of inhumanity that are perpetrated upon animal life, as I believe that you, as a group, have familiarized yourselves with some of the basic problems on this subject.

We all know that slaughtering is not a particularly attractive business. We, in the humane movement, fully understand that certain procedures are necessary for the proper processing of meat and poultry, but we are fully united in our belief that inhumanity to animals is not necessary.

We are disturbed by the utilization of the sledge and we know that even in the hands of skilled and strong men, the sledge frequently misses, sliding down the animal's head causing great pain and fright—or with heavy bone formation, several hits must be made before the animal is brought down.

We are concerned at the sticking and bleeding to death, while conscious, of pigs, calves, and sheep.

There are in the United States some humane methods of slaughter already in use. We know, and you have had the information given to you, that the slaughtering industry in Britain and Scandinavian countries and in fact, in practically all the nations of Europe has been for some time immobilizing and making insensible to pain all animals and poultry before bleeding and slaughter.

A number of companies, including some of the largest in the slaughtering industry in this country, already have adopted humane methods of slaughter in part of all of their operations.

You are familiar with George A. Hormel & Co., which immobilizes hogs by the use of carbon dioxide gas and the Seitz Packing Co., of St. Joseph, Mo., which makes use of the captive bolt pistol in place of the sledge.

In 1952, the then new Hormel method of carbon dioxide immobilization of hogs was introduced to the packing industry. There was apparently an enthusiastic reception to the information made available and yet, in 1957, Hormel is the only packer which has made additional installations.

Since this innovation went into practical operation, millions of pigs have gone to slaughter in other plants in the old-fashioned hoist and slit process.

Yet it is apparent that Hormel has found the method practical, economical and, even, I believe, profitable.

There are other practical ways available for achieving humane slaughter. The captive-bolt pistol is used by a considerable number of packers. Electric stunning and carbon dioxide immobilization before slaughter in the poultry packing industry is used in several plants.

The Remington humane stunning instrument has undergone extensive field tests by Swift and Armour and has been used successfully on thousands of head of cattle.

With typical American ingenuity and know-how, it will undoubtedly be perfected and made available to all packers in the near future.

This instrument stuns cattle with a precision blow with vastly superior results to the widely used sledge. This unit should get much faster acceptance than the carbon dioxide apparatus because it is relatively inexpensive.

We wish to acknowledge the leadership of some of the major packers who have tested this stunning instrument in spite of discouragement due to early mechanical difficulty; but we feel that other packers might also become discouraged and abandon use of this method rather than persevere without legislative compulsion.

Those packers using humane methods have found that morale among the employees is improved, stock bruising is reduced, and profits are likely to be increased.

The American Humane Association has sought to encourage those packers who have voluntarily adopted humane methods by issuing a seal of approval.

Several small packers have received or are about to receive this approval. Two of the major packers will soon be using humane methods in the slaughter of one or another species of livestock and we will seek to give recognition of their outstanding efforts.

It is our belief, however, that to protect these progressive packers and to bring all segments of the industry to the acceptance of the advantages of humane slaughter, we must have the compulsion of law.

The public, the press, many Members of Congress, and even the packing industry itself has admitted the need for the adoption of humane methods as rapidly as possible.

The proposed law, while it involves compulsion, does not predicate unfair demands or regimentation. More than one method will be available and the recommendations will be based on careful study by the Secretary of Agriculture and an advisory committee representing concerned interests.

Humane slaughter should be profitable in the long run to the packing industry because kindness is good public relations and good business.

We are sure that the packers would like to eliminate the cruelty which now exists, but harsh killing methods have been taken for granted because they have been practiced for years.

Voluntary committees of the packers and the humane societies will continue studies to develop new methods and improve on the existing ones.

Congress, by its concern with this problem, in the Senate hearings last year and in these hearings today, has recognized the need for action. The public is awaiting the congressional decision.

Now is the time to support the acknowledged need for humane slaughter with the force of law. We urge you to act favorably upon compulsory humane slaughter legislation.

Mr. POAGE. Thank you so much, Mr. Phillips.

Mr. PHILLIPS. Thank you.

Mr. POAGE. I believe that Mr. Macfarlane, who is also with your group, will be heard at this time.

STATEMENT OF JOHN C. MACFARLANE, DIRECTOR, LIVESTOCK CONSERVATION DEPARTMENT OF THE MASSACHUSETTS SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS

Mr. MACFARLANE. My name is John C. Macfarlane, director, Livestock Conservation Department of the Massachusetts Society for the Prevention of Cruelty to Animals, and also a member of the board and executive committee of the Livestock Conservation, Inc., and a field director of the New England Livestock Conservation, Inc.

My office is at 180 Longwood Avenue, Boston, Mass., and I am also a member of the humane slaughter study committee, sponsored by the American Meat Institute.

Mr. Chairman, members of the subcommittee of the House Agriculture Committee, it is right that we consider the problem facing you today as a very old problem—not as a new one. It is also right that we consider in its true meaning the fact that only a very few of our largest meatpacking companies have ever chosen to give freely of their time, money, and effort to the research and education which would be necessary to bring about better slaughtering techniques.

Field investigations which I have conducted over the past 30 years have convinced me of several truths. It is true that many years ago hundreds of meatpacking plants bought one or more of the European captive bolt type instruments or free bullet instruments and then promptly placed these new tools in a drawer or hung them on a wall where they were soon all but forgotten.

In any event, they were not used very long for the purpose for which they were originally purchased.

In the year 1917 much of our cattle slaughtering was done with live ammunition, but because live ammunition was dangerous to humans, its general practice soon stopped.

Shortly thereafter there were several new ideas developed and advertised in the United States by their European inventors and manufacturers:

The Swedish pistol Formator, made in Stockholm, Sweden, the Stoff pistol, made in Erfurt, Germany, the Temple-Cox and the Cash-X penetrating pistols, made in England—England also produced a 380-mm. revolver, the Greener pistol, and the Royal S. P. C. A. Humane Killer, these last three firing live bullets.

Electricity was used and still is in many European countries to induce unconsciousness in all classes of livestock.

Methods of applying electricity vary from one country to another. The most impressive technique I observed in Europe was the one developed by a Dutch slaughterer in Rotterdam, who used a voltage

control and a steady flow of 70 volts with 600 milliamps for 15 seconds or longer on all hogs.

He used 185 volts on sheep and calves for instantaneous shock and 300 volts on cattle for instantaneous shock.

These and many other devices have been available to the United States meat slaughterers for many years, but for one reason or another these new devices did not seem to meet with the acceptance or approval of most of our packers.

Some of the expressed reasons for not adopting these European developments were based upon sound thinking. We know, for instance, that the techniques used by a slaughterhouse killing 10 or 20 animals a day could not be applied to the slaughterhouse killing 50 to 200 or more per hour.

Other expressed reasons were, in my opinion, predicated upon a strong and very often arbitrary determination not to make any changes whatsoever in killing techniques, on the premise that to make any change would be to increase the cost of operation.

This argument has held sway since the turn of the century in entirely too many cases.

We know that, should it become mandatory under Federal law to kill food animals in a manner that is rapid, effective, and humane, less than 500 slaughterhouses will be effected throughout the United States.

In all fairness to those packers who have given cooperation and have shown a sincere desire to search out better killing methods, Swift and Armour lead all the other major packers in my opinion.

Some of our major packers have shown no interest whatsoever in any new ideas concerning humane slaughter as such, to the point where some of them have not once indicated a desire to even see the new Remington Humane Stunner, notwithstanding the fact that Swift and Armour are equipping their beef killing plants with these new tools as rapidly as plant changes and tool production will permit.

The Remington Arms Humane Stunner has proven itself to be rapid, effective, and humane. While it is still being improved upon through Remington Arms' research and development and with packer cooperation, many thousands of tests already indicate that its immediate use is not only rapid, effective, and humane, but that it is also safe and economical.

In spite of all the available evidence to prove that this particular tool is humane and acceptable by the Meat Inspection Branch of the United States Department of Agriculture, I certainly do not believe that beef slaughterers in general will adopt its use unless they are compelled to do so either by pressure from the public or by law.

The Temple-Cox and the Cash-X penetrating captive bolt pistols have been used successfully for many years in Europe and by a few plants in our own country.

We know that they can be used effectively by all packers who do not save animal brain as a salable byproduct and by those who do not face economic loss from holes being punched through the pate leather.

Packing plant history forces us to believe that even these penetrating bolt-type tools will never be accepted unless the law indicates that they constitute some of several acceptable methods for packers to choose from.

We know that the Meat Inspection Branch of the United States Department of Agriculture will not accept electric shocking or electro-narcosis because of the so-called indistinguishable lesions or extravasations found in the animal brain, lung, and/or other organs.

I believe, however, that electronarcosis can be practical where it is used on hogs, sheep, and calves by a small packer whose daily "kill" numbers only a few animals, like the very small butcher in Cedarsburg, Wis., where I visited recently, whose weekly kill is less than 60 animals.

This man can afford the time to apply electrodes to the heads of hogs for 15 seconds or longer or until the real legs of the animal stiffen out, using an electrical charge of not more than 70 volts.

I am in agreement with the large packers who say that they cannot use electricity because of the long periods of time necessary to induce unconsciousness.

I am also in agreement with those authorities who maintain that a "shock" type of electric stunning is not acceptable because I know from personal experience that where 185 volts are used, blood spots, splashing, and petechial hemorrhages appear in the organs and in the meat of the hog so stunned.

I would like now to present the policy of my organization for the record:

The society I represent, and its thousands of members, condemn wholeheartedly all cruel slaughter practices, especially the suspension by one leg of a living, conscious animal and the frequent application of electric shock to the flesh adjacent to the rectum in order to immobilize the animal while a hind leg is being shackled.

These practices are often witnessed in all types of slaughterhouses. The present bills now being considered would preclude such practices, excepting only slaughter under Kosher and Mohammedan laws. These methods, however, are not a part of the ritualistic slaughtering techniques.

We recommend an amendment to Mr. Dawson's bill, No. 3029, which would provide for use of the Dyne casting pen or some similar device which would eliminate the necessity of suspending living conscious animals. (The casting pen is a method which is acceptable to those of Jewish faith in England and in Scandinavian countries.)

And further, that the amendment require that the cutting of the throat of a living conscious animal shall be used only for the adherents of a religion which does not permit prior stunning.

In the bill submitted by the Honorable Martha W. Griffiths, I suggest that the word "officer" on line 17, page 3, be replaced by the word "representative."

With this one correction, I would favor bill No. 176.

In the bill submitted by Mr. Miller of California, I submit the same constructive criticism, that the word "officer" on line 17, page 3, be replaced by the word "representative."

I do also favor this bill, No. 2880.

In the bill submitted by Mr. Dawson, I offer the following constructive criticisms, line 16, page 2, reads as follows: "The term

'approved methods' of slaughtering, which means any of the following," and then on line 3, page 3, the bill further states "slaughtering in accordance with the requirements of any religious faith."

I suggest that Mr. Dawson reword these two paragraphs and that his bill and all similar bills emphasize that—

nothing in this bill shall apply to any qualified slaughterer slaughtering food animals in accordance with the requirements of any established religious faith.

I further suggest that this paragraph be inserted either between E and F on page 2, or that it be inserted between sections 4 and 5 on page 3. With these suggested changes, I would then approve of Mr. Dawson's bill, No. 3029.

In the bill submitted by Mr. Hiestand, I offer the following remarks:

The Honorable Mr. Hiestand has submitted a bill which meets the desires and wishes of all humanitarians more closely perhaps than any of the other bills being heard by this committee.

It is my humble opinion that twenty-odd million Americans who are in one way or another affiliated with the animal protective movement throughout these United States will agree with me.

I know that the many thousands of people who hold membership in my own organization think as I do.

The Massachusetts SPCA has always tried to be liberal and fair in all its deliberations. It has on many occasions gone out of its way to cooperate rather than condemn, and as the livestock representative of this, the largest humane organization of its kind in our country, I wholeheartedly endorse Mr. Hiestand's bill, No. 3049.

Mr. POAGE. Thank you, Mr. Macfarlane.

Mr. MACFARLANE. Mr. Chairman, I have in my hands a picture of the Dyne casting pen and a picture of the Remington stunner. May I please offer this?

Mr. POAGE. We will be delighted to have it filed with the committee.

(The photograph will be found in the files of the committee.)

Mr. POAGE. If there are no questions, we are very much obliged to you. We would like to discuss these matters at length but we realize that we have some 23 more witnesses to be heard in the 45 minutes remaining.

I have a list that has been handed me and I suppose there are many other people who have asked to be heard.

Apparently, there is no coordination here but I think we will go down to No. 7 to Dr. Barner.

Dr. R. D. Barner, professor of veterinary pathology. I am going to call Dr. Barner as the next witness, and then I am going to call the next witness who I will ask to be ready in order to save as much time as we can, because, frankly, I know that you cannot realize the pressure of time that is on the committee.

So, following Dr. Barner will be Mr. Leo Pfeffer. Is Mr. Pfeffer present?

Mr. PFEFFER. Present.

Mr. POAGE. All right now, Mr. Pfeffer, you will follow Dr. Barner.

STATEMENT OF DR. RALPH D. BARNER, PROFESSOR OF VETERINARY PATHOLOGY, COLLEGE OF VETERINARY MEDICINE, MICHIGAN STATE UNIVERSITY, EAST LANSING, MICH.

Dr. BARNER. I am Ralph D. Barner, teacher of veterinary pathology at the Michigan State University, College of Veterinary Medicine, East Lansing, Mich.

In the course of our routine work it is necessary that we destroy living animals rather frequently, using the dead cadaver as a means of arriving at a diagnosis, and using a word that Judge Griffiths made reference to here a year ago, I might say that in our post mortem laboratory we have the glass window and the farmers, pet owners, accompany their animals and, therefore, it is necessary that we destroy these animals to aid us in our diagnosis by the most humane means possible.

And commonsense and public opinion has compelled us to use humane methods.

We have been conducting for the past several years research work wherein we have been using electricity and carbon dioxide, as a means of bringing about the humane slaughter of animals.

I made a report here last year, I believe Judge Griffiths has that report, pertaining to this matter of hemorrhages as an aftermath of the use of electricity.

I might say that during the death struggle of healthy animals wherein they are killed in a routine manner by sticking, we have also observed hemorrhages, not unlike those that are observed following the means of electricity.

And in our midst we have a Colonel Anthony with whom I visited this past year at Marshman Baxter in Briar Hills, England, and, perhaps, he will have more to say on that matter. He has been using electricity there, I think, for a number of years, and he will have more on that.

More recently, we have been conducting research work using carbon dioxide as a means to euthanize cattle and calves, and we have extended that to hogs and also goats.

I might say that we have observed hemorrhages in those animals following the use of carbon dioxide. It seems that this matter of hemorrhage is related to the death struggle.

I might at this time present, I have been asked by the ladies of the Animal Welfare Institute, several instruments that are being used at the present time in various parts of the world, some of them in Michigan and other States, of course.

I have the cost of these.

The Cash-X bolt pistol which costs \$100, this is being used. I had hoped to show some slides. In this game we find that slides, visual aids, are worth—I think some Chinaman said, a picture is worth 10,000 words—and I had hoped to show some pictures here but in the interest of time we should dispense with those.

But we have quite a collection. And I might add that Mr. Lingle gave me permission to show some slides wherein he makes use of lights and the bolt pistol in destroying some of these fractious wild animals.

Here we have a Schermer stunner, which sells for \$150. I also have pictures of the use of this particular instrument in Denmark. It is

used quite extensively there for humanely stunning of horses and Red Danes, cattle.

Then we also have another instrument here that the Remington people have developed in conjunction with Mr. Macfarlane known as the Remington stunner.

I might say that the price on this is \$220. Perhaps Mr. Macfarlane—he has been developing this—could relate more information on this particular instrument to you.

I do not think I have anything more to add at this time.

Mr. POAGE. Unless you care to demonstrate how that is going to work.

(Off the record.)

Mr. MACFARLANE. This is quite versatile. This was developed—

Mr. KRUEGER. It isn't loaded; is it?

Mr. MACFARLANE. This was developed by Remington Arms in Bridgeport, Conn., as a result of a suggestion I made to them some 2½ years ago, if they could develop by concussion an instrument that would not penetrate through the frontal bone, that would knock it out, that I felt that the packers would buy it. I felt there would be a market for it. It is still in research.

However, as I indicated in my paper, Swift and Armour are equipping their beef-killing plants as rapidly as their plants are changing and production will permit. It has been proven to be effective, humane, safe.

However, no instrument is any better than the human counterpart associated with it.

One has been developed with safety features which makes it fairly foolproof. This is a safety switch or safety latch at the bottom. When it is compressed the firing mechanism lever is in line with this firing pin. It cannot be fired in this position.

So if the animal moves its head at the last minute and he wants to save that cartridge it will not fire. He merely touches to the point below the pole of the animal's head where by touching this it is fired.

I can fire it so that you will see what I mean. By touching it first, there is no swing necessary. Those packers who have given them to their knockers have all with few exceptions proclaimed it as a much easier instrument to use.

It gives the same foot-muscle energy pressure every time it is fired. It uses a blank cartridge with 3.8 grains of powder. They cost approximately 2.75 cents each.

Please do not misunderstand me. I am not selling this for Remington. I am merely explaining it to you.

I think that some of the packers may object to the fact that the cost of the cartridge is that high. For small packers who do not have a high volume of kill, those people would probably have to pay 5 cents apiece for them. But what price humanity?

It is a very good instrument. And I think today, so far as my records indicate, it has been used in the United States on approximately one-half million steers. That is, effectively.

We have not yet reached a point where the packers are completely satisfied with the brain because by concussion we cause surface hemorrhages of the lobes of the brain which in many cases make it impossible, for the packers who have a market, to sell brain for human food.

However, I think as the packers in the room may verify, approximately 40 to 45 percent of the brains are available.

Mr. POAGE. So that brings this question: Why is it that you get more brains that are not salable from this than you do with a hammer?

Mr. MACFARLANE. You do not. When you use a hammer, if the hammer is used more than once on a head, you usually smash or ruin the brain completely.

Mr. POAGE. That is what I was talking about the first time. You get the same.

Mr. MACFARLANE. You get hemorrhaging.

Mr. POAGE. You get concussion there.

Mr. MACFARLANE. That is right. I think the percentage of bloody brain by comparing the hammer with this, in all fairness to the man who uses the hammer properly and can do the job with one blow, which is not the national average by any means, would be that the brain of an animal stunned with the hammer properly would show less hemorrhaging than the brain of one stunned with this.

Mr. POAGE. Would it not be true that you would have exactly the same hemorrhaging in proportion to the power of the concussion? In other words, if you put less powder in your blank cartridge, you could get a slighter blow or a heavier blow, as you see fit?

Mr. MACFARLANE. Yes, sir; it can be done and is being done now. We are experimenting with powder loads ranging from less than 1 grain to 4 grains of powder.

As you all in this room know, the type of livestock slaughtered in the United States will vary between one section and another. Where they are slaughtering Angus steers, for instance, you will need a much more powerful load, than you would in New England where we kill dairy cattle.

And the damage to the brain is always to the opposite side of the brain from the point of impact, which is true in humans.

If someone were to hit us on the head, the opposite point, the rear of the area struck, would show hemorrhaging. That is true in animals.

Mr. POAGE. That is true when you are hit with the hammer?

Mr. MACFARLANE. That is right.

Mr. POAGE. Thank you very much.

Dr. BARNER. I have an additional remark, a very short one, I might add. I have made reference to a glass window in our veterinary post mortem diagnostic laboratory. We have an additional glass window in our newly constructed meats laboratory wherein students are in the process of destroying animals and carrying on with the other work of a meats department.

And I might say that at the present time Mrs. Christine Stevens, of the Animal Welfare Institute, and members of the animal husbandry department of Michigan State are negotiating with the idea in mind that we might be able to install a carbon dioxide immobilizing unit which I understand now has been placed on the market by Allbright-Nell, wherein a small unit, 60 hogs and under per hour could be immobilized at a cost of for this particular unit \$3,500.

We hope to install one at Michigan State.

Mr. POAGE. I overlooked one other witness. I wonder if you would stand by a minute.

Mr. Milburn is present; there has been a change on the list. We will therefore now hear him.

STATEMENT OF G. R. "JACK" MILBURN, GRASSRANGE, MONT., FIRST VICE PRESIDENT AND CHAIRMAN, LEGISLATIVE COMMITTEE, AMERICAN NATIONAL CATTLEMEN'S ASSOCIATION

Mr. MILBURN. Mr. Chairman and gentlemen, I have a statement here that I think I can go through hurriedly.

I am G. R. "Jack" Milburn. I operate a cattle ranch near Grassrange, Mont., on which I raise commercial and purebred Aberdeen Angus cattle. I am first vice president of the American National Cattlemen's Association and chairman of their legislative committee.

I wanted to emphasize the fact that I live on this ranch. That is the only business I am occupied in. And I have lived with the cattle industry since 1919. That is all I know.

The American National Cattlemen's Association was organized in 1898. It is a voluntary association representing 28 State cattlemen's associations, more than 100 local and regional groups, and thousands of individual cattlemen.

At the 60th annual convention in Phoenix, Ariz., January 6-10, 1957, the association passed the following resolution:

RESOLUTION No. 11—HUMANE SLAUGHTERING

Whereas the American Humane Association is backing legislation to force drastic changes in the methods of slaughtering food animals; and

Whereas the packers have for some time cooperated in a joint committee with the American Humane Association in improving methods of handling livestock: Therefore be it

Resolved, That we strongly favor humane treatment of livestock, but urge that progress in this matter be made through continued cooperation of packers and the humane association rather than through legislation.

In support of this resolution I wish to emphasize that cattlemen, by their very nature, are lovers of animals. If they were not, they would not be in the business. They, more than any other group, are interested in the humane handling of cattle from the time they are calved on the range until converted into beef.

We are in sympathy with the groups and individuals seeking to improve humane handling, transportation, and slaughter of cattle.

However, we feel that we must oppose enactment of H. R. 3029 at this time for a number of reasons, but particularly because cooperation and education will accomplish more than compulsory legislation toward achieving our common goal. We believe that such principles embodied, for instance, in legislation similar to H. R. 5820 will have a better chance of accomplishing these objectives.

Humaneness to animals is a matter of education, training and a moral philosophy—not compulsory legislation. More can be accomplished through a practical approach incorporating humane problems with good economic and efficient production of meat—an approach that is already on its way.

Since the beginning of the cattle business, there has been a steady improvement in the care and handling of cattle. Cattlemen long ago learned that the best-cared-for cattle are the most profitable. Facilities for their care and feeding have been and are being constantly improved.

Cattlemen are cooperating with railroads and truckers toward more humane handling of the stock between the ranch and the stockyards. Stockyards facilities are being improved constantly to avoid injury or death to livestock.

The American Humane Association and the meatpackers as individual firms and associations, particularly the American Meat Institute, have been working for some time toward the development of improved methods of slaughter which are practical and humane and which invite general acceptance by the entire packing industry. This cooperative effort is making real progress.

In view of this effective voluntary cooperation, we believe that the injection of compulsory legislation would only complicate an already complex situation, which can best be worked out through mutual understanding of the economic and humane problems that are involved.

We urge your committee to allow the joint committee of the American Humane Association and the meatpackers to continue the work that is so well started without being hampered by restrictive legislation at this time.

We who live with the cattle and raise them—raise them from calfhood to the time we sell them, and the best cattlemen, the majority of the cattlemen are very much concerned as to their welfare and their life on the ranch and their shipping and the slaughtering of them.

So I think it is needless to say that we should be considered as very much interested in the best and most humane method of destroying or slaughtering of livestock.

But we feel, as has been so well expressed by Dr. Clarkson of the Department of Agriculture, that your H. 3029 is a little bit drastic, it is compulsory. More time should be taken; that we approve of the wording of a bill or similar bill to H. R. 3820. And we feel that a little more time is needed for study, to determine the very best method of slaughtering.

Mr. POAGE. Thank you very much.

Mr. MILLBURN. Thank you.

Mr. POAGE. Now we will call Mr. Leo Pfeffer, and following Mr. Pfeffer I will ask Mrs. Griffiths to introduce a witness.

STATEMENT OF LEO PFEFFER, ATTORNEY, NEW YORK, N. Y.

Mr. PFEFFER. Mr. Chairman, in order to save the committee's time all of the Jewish organizations have decided to combine in one statement and that statement will be presented by Rabbi Lewin.

But for the record I would like to indicate the presence of the delegates of the Jewish organizations, so that the names will be incorporated in the record.

Present here, although not testifying, will be Rabbi Michael Mink of the Research Institute; Mr. Ben Weitzer, legislative representative of the Jewish War Veterans; Rabbi Emanuel Holtzer of the Rabbi Council; Rabbi Davis Penitz of the Rabbinical Assembly, United Synagogue; Mr. Joseph M. Viener of the Union of Orthodox Jewish Congregations; and Rabbi Pincas Teitz, of the Union of Orthodox Rabbis of the United States and Canada.

My name is Leo Pfeffer. I am acting as attorney for the 21 or so Jewish organizations who are listed on our statement, representing by far the overwhelming majority of members of the American Jewish community. I would suggest at least 80 percent of them. The combined statements of all of the organizations, as I said, to save the committee's time, will be presented by Rabbi Isaac Lewin, who is a member of the executive committee of the Union of Orthodox Rabbis of the United States and Canada.

He is a professor at the Yeshiva University at New York, a permanent representative to the Economic Council of the United Nations and a various number of Jewish organizations.

If there are any questions—should there be—asked after he testifies, I will be happy to answer them.

But the statement will be presented by Rabbi Lewin.

STATEMENT OF RABBI ISAAC LEWIN, MEMBER OF THE EXECUTIVE COMMITTEE OF THE UNION OF ORTHODOX RABBIS OF THE UNITED STATES AND CANADA, AND PROFESSOR AT YESHIVA UNIVERSITY, NEW YORK; ACCOMPANIED BY RABBI PINCAS TEITZ

Rabbi LEWIN. My name is Rabbi Isaac Lewin. I am a member of the executive committee of the Union of Orthodox Rabbis of the United States and Canada and professor of Yeshiva University, New York. I speak today on behalf of the following Jewish organizations who join in this statement:

Agudas Harabbanim (Union of Orthodox Rabbis of the United States and Canada); Agudas Israel World Organization, American Section; Agudath Israel of America; American Jewish Congress; Association of Grand Rabbis; Central Conference of American Rabbis; Jewish Labor Committee; Jewish War Veterans of the U. S. A.; Mizrachi and Hapoel Hamizrachi of America; National Council of Young Israel; New York Board of Rabbis; Poale Agudath Israel of America; Rabbinical Alliance of America; Rabbinical Assembly of America; Rabbinical Board of Greater New York; Rabbinical Council of America; Research Institute of Religious Jewry; Synagogue Council of America; Union of American Hebrew Congregations; Union of Orthodox Jewish Congregations of America; United Synagogue of America; and the National Community Relations Advisory Council, which is a coordinating agency for some of the above national organizations and 36 regional, State, and local Jewish community councils throughout the country.

On behalf of these organizations, I am here to state our opposition to bills H. R. 176, H. R. 2880, H. R. 3029, H. R. 3049, H. R. 6422, and H. R. 6509.

We oppose these bills because all of them give a completely false impression of the Jewish kosher method of slaughtering animals (shehitah) and may become the basis of restriction against one of the most important precepts of the Jewish faith, thus endangering a primary civil liberty—freedom of religion.

Bills H. R. 176 and H. R. 2880 provide for stunning of livestock prior to its slaughtering by—

mechanical, electrical, chemical, or other means determined by the Secretary (of Agriculture) to be rapid, effective, and humane.

In the case of poultry, the bills require that the fowl be first—
rendered insensible by the severing of the head from the body or by an electrical or other means determined by the Secretary (of Agriculture) to be rapid, effective, and humane.

Paragraph (c) of section 2 then provides that the—

requirements of this section shall not apply to any individual slaughtering in accordance with the requirements of any established religious faith.

Bill H. R. 3029 has a different text. It mentions three “approved” methods of slaughtering. The first is after stunning—

by mechanical, electrical, chemical, or other means determined by the Secretary to be rapid, effective, and humane.

The second, referring to poultry, is that of—

instantaneous severing of the head from the body or, if poultry is otherwise cut or stuck, by first rendering such poultry insensible by mechanical, electrical, or other means determined by the Secretary to be rapid, effective, and humane.

The third is—

slaughtering in accordance with the requirements of any religious faith.

Bill H. R. 3049 recognizes two so-called “humane methods of slaughtering” which are equivalent to the first two “approved methods” of bill H. R. 3029, with the added clause:

Provided, however, That nothing in this act shall prohibit slaughtering in accordance with the practices and requirements of the Jewish religious faith by a qualified slaughterer, commonly called a shohet, authorized to engage in such slaughtering by an ordained rabbi of the Jewish religious faith.

There can be no doubt that in formulating the bill as a general rule providing for the use of humane methods in the slaughter of livestock and poultry, with an exception for the—

individual slaughtering in accordance with the requirements of any established religious faith—

as in some bills (H. R. 176 and 2880) are for the—

slaughtering in accordance with the practices and requirements of the Jewish religious faith by a qualified slaughterer, commonly called a shohet, authorized to engage in such slaughtering by an ordained rabbi of the Jewish religious faith—

as in other bills—there arises the inescapable implication that—

slaughtering in accordance with the requirements of any established religious faith—

or

slaughtering in accordance with the practices and requirements of the Jewish religious faith—

are inhumane but are permitted only because they are prescribed by religion.

This false and defamatory implication must be categorically rejected.

Jewish religious practices require that any animal whose meat is to be used for food must be slaughtered in accordance with specific and detailed requirements.

A religious Jew will refrain from eating any meat rather than eat nonkosher meat.

The person who slaughters the animal in accordance with Jewish ritual is called a shohet. His is a religious function, and he must meet very high moral, religious, and educational qualifications.

This process of Jewish method of slaughter and the qualifications of a shohet were described by the Chief Rabbi of Israel, Dr. Herzog, as follows:

The Jewish method consists of cutting the throat of the animal with a single swift and uninterrupted sweep of the knife, which is of more than surgical sharpness and smoothness, horizontally, across the throat in such manner that it severs the trachea, esophagus, carotid arteries and jugular veins.

The knife edge must be perfect, without the least perceptible unevenness, indentation, or roughness. The knife must be minutely examined by a specific method before killing to test its sharpness and smoothness.

It must also be examined after killing and if any indentation is found, the beast is regarded as having been improperly slaughtered and its flesh is "nebelah," i. e., is regarded from the standpoint of our dietary laws like the flesh of an animal which died of itself (carrion) and may not be consumed by Jews. The knife must be twice as long as the breadth of the neck of the animal; for larger cattle 14-finger breadths.

The slaughtering of animals for Jewish consumption must be carried out by an educated, refined, and cultured man, known to be God fearing, who is appointed an official of the community, properly trained, duly licensed, authorized and supervised by the religious head of the community, whose duty it is in the case of the slaughterer's misconduct or inefficiency to suspend him or even to annul his license.

This commandment is derived not only from the Torah (Bible) with its famous prescriptions concerning Sabbath rest for animals and human being alike, or with its prohibition against muzzling oxen while they are threshing the grain, or against killing the cow or the lamb and their young both on the same day.

The Talmud which, sanctified by the centuries, is the source of Jewish religious law, proclaims that the perpetration of cruelty upon animals is forbidden by Scripture ("Tzaar baalei chayim d'oray-tha"—causing pain to animals is forbidden by the Torah).

The Talmud even prohibited the owner of an animal from partaking of food before he had fed his beast. It also deprecated hunting for sport.

And according to a standard medieval ethical work *Sefer Chassidim* (Book of the Saints):

man will be called to account for any pain he has caused an animal; e. g., loading upon it a burden too heavy for it to carry or striking it when it cannot move.

Maimonides, the first and greatest Jewish codifier, and a famed physician in his day, in his *Guide for the Perplexed*, declared the following with regard to religious slaughter of animals:

The commandment concerning the killing of animals is necessary, because the natural food of man consists of vegetables and of the flesh of animals; the best meat is that of animals permitted to be used as food.

No doctor has any doubts about this. Since, therefore, the desire of procuring good food necessitates the slaying of animals, the law enjoins that the death of the animal should be the easiest.

It is not allowed to torment the animal by cutting the throat in a clumsy manner, by poleaxing, or by cutting off a limb whilst the animal is alive.

Modern experts, mostly non-Jewish, have carefully studied the Jewish method of slaughter and their testimonies have been published.

Many of them are contained in the book *Religious Freedom: The Right To Practice Shehitah*, published by the Research Institute of Religious Jewry in New York in 1946.

More than 800 notable authorities in the field of physiology, pathology, and anatomy, heads of veterinary schools have so testified. May I mention here only some of them:

Prof. Auguste Krogh, of the Physiological Institute of Copenhagen, Nobel Prize winner of 1926, wrote as follows:

In reply to the question of the Jewish method of slaughter from the physiological point of view the sudden severance of the carotid arteries, the main point of Shehitah, causes such immediate and complete drainage of arterial blood that the brain centers are paralyzed very quickly, at longest in a few seconds.

There is apparently a shock suspending all consciousness and arresting the eye reflect. The flow of blood to the brain by the vertebral arteries is exceedingly feeble owing to drainage from the severed carotids; arterial pressure to the brain is extremely low since, subsequent to the opening of the carotids, there is only a trickle of blood.

Shortly after, the muscles begin to work violently; at first with coordinated movements, then irregularly. These movements could probably be suppressed by a blow on the nape of the neck or the head, a shock that would act automatically on the medulla oblongata.

I must, however, assert emphatically that this is without importance or effect for the consciousness, which is destroyed instantaneously by Shehitah.

The movements taking place during the last stage of drainage of the blood obviously play an important part in the blood evacuation, and if they were checked the last phase would undoubtedly take much longer, while the blood letting would be less complete, since the circulation to the heart would be interfered with.

Having been personally at Jewish slaughterings and having had occasion to observe the animals, I do not hesitate to declare that the Jewish method of slaughter is a proceeding fulfilling every requirement demanded by the dictates of mercy.

Sir C. A. Lovatt Evans, professor of physiology at London University, made the following statement:

My opinion as a physiologist is that I should think this method is as humane as any other method in use or likely to be brought into use for the purpose.

My reason for regarding the method as practically painless is based on two things:

- (1) Commonsense; and
- (2) A knowledge of physiology.

Commonsense tells me that if the animal suffered he would kick immediately the cut was made. As everyone who has ever witnessed the act is well aware, the animal lies absolutely still the moment the vessels are severed, and it is only a minute or so later that asphyxial convulsions set in. Consciousness, we know, is lost long before this.

On physiological principles, again, it is clear that when such large vessels are severed, the arterial blood pressure falls at once to a very low level, and, moreover, the carotid arteries being severed, much of the blood supply to the brain is immediately lost.

The remaining vessels to the brain, in any case, even at the normal arterial pressure, supply only a fraction of the blood, and with the immediate fall of blood pressure this fraction is still further reduced; the result is, I think, almost immediate loss of consciousness.

The fact that the conjunctival reflex persists is, as everyone knows, absolutely no criterion of the existence of consciousness. To consider that the animal suffers appreciable pain is, in my opinion, quite absurd. I consider the method to be equal to any.

Lord Horder, G. C. V. O., M. D., F. R. C. P., wrote on February 3, 1955, as follows:

In January 1940 I was asked by the board of deputies of British Jews to give my opinion on the character of the slaughtering of cattle for food after the Jewish fashion.

I made careful observations of the process called shehitah. I reported as follows:

The animal to be killed is isolated from the rest, placed in a padded pen which is rotated so as to bring the neck of the beast into position for the shohet's operation.

This consists in a clean and instantaneous cutting off all the blood vessels of the neck together with the windpipe and gullet—in fact all the soft structures up to the spine.

The animal loses consciousness immediately. It is difficult to conceive a more painless and a more rapid mode of death.

For a few seconds after the cut is made the animal makes no movement. Its body is then convulsed; the convulsive movements continue for about a minute and then cease.

The interpretation of these facts is clear. The cut is made by a knife so sharp and so skillfully handled that a state of syncope, with its associated unconsciousness, follows instantaneously upon the severing of the blood vessels, the rapid loss of blood, and the consequent great fall in blood pressure.

The movements of the animal, which begin about 90 seconds after the cut and continue for about 90 seconds, are epileptiform in nature and are due to the bloodless state of the brain (cerebral ischaemia with complete anosaemia). Sensation has been abolished at the moment of the initial syncope.

Careful and critical scrutinizing of this method of slaughtering leaves me in no doubt whatever that it is fraught with less risk of pain to the animal than any other method at present practiced.

I was asked to repeat my observations with a view to a new statement which should be identical with this opinion or modify it if necessary. I made these new observations on January 27 last (1955), and I have no modification to make in my original statement.

Sir William Bayliss, M. A., D. S. C., LL. D., F. R. S., professor of general physiology in the University College, London:

I visited the abattoirs at the Metropolitan Cattle Market at Islington when a large number of animals were being killed. I directed special attention to the Jewish method. I arrived at the following conclusions:

The Jewish use of the knife is a humane method of slaughter, which compares favorably with any other process. The result of the cut made by the Jewish expert is to produce immediate insensibility, from which the animal does not recover.

The pain, if any, is momentary, and at the worst is but slight. This is a fact well known to surgeons and to those who cut themselves with an excessively sharp knife. The effect of the cut is to produce unconsciousness by instantaneous cessation of the supply of fresh blood to the brain, and to drain the body of blood.

The description of the method as "bleeding an animal to death," is, in my opinion, unfair. It omits to express the fact that the bleeding animal is throughout incapable of sensation and that the bleeding is very rapid.

Leonard Hill, director of Department of Applied Physiology, National Institute for Medical Research in England, made the following statement:

Several years ago I made a special study of the cerebral circulation, and later inquired into the methods of slaughtering at a time when the Jewish method was called into question by an Admiralty committee.

All the evidence shows that complete cessation of bloodflow in the brain immediately abolishes consciousness in man, whether this be brought about by sudden compression of the carotid arteries in the neck, cutting of these arteries, or pressure applied to the brain.

The very name "carotid" betokens the sleep which the ancients knew could be produced by compression of these arteries in a goat. Boys who accidentally kill themselves by playing at hanging do so because the pressure of the rope on these arteries suddenly deprives them of consciousness, and then they die of asphyxia, the weight of the unconscious body compressing the windpipe.

Similarly it is very dangerous to breathe deoxygenated air because the loss of consciousness from want of oxygen is sudden and no warning sign is given.

The brain loses its highest function, viz, consciousness, instantly on deprivation of oxygen, while all the lower functions of the nervous system and other organs continue to act for some time.

Now the Jewish method of slaughter consists in the sudden cutting of the neck right back to the bone, including the carotid arteries and jugular vein, the highly trained official using a very sharp knife.

At once the whole of the blood is spilt out of the brain, and consciousness is abolished. No death could be more merciful, taking into account the fact that the animal, unlike man, has no knowledge of fear or impending death.

The following are some of the additional experts who have certified that shehitah is a humane method of slaughtering:

Lord Joseph Lister, professor of physiology, University of London, "father of modern antiseptic surgery":

To charge the Jews with cruelty in this matter seems to me grossly unjust.

Th. W. Englemann, director of the Physiological Institute, University of Berlin:

Both in the interests of hygiene and humanity, shehitah is to be preferred to the methods of slaughter usually recommended.

J. Orth, director of the Pathological Institute of the Friedrich-Wilhelm University:

Like many other pathologists I perceive no cruelty to animals in the ritual method of slaughter, but am of the opinion that * * * it is preferable to other methods.

Professor Rubner, director of the Institute of Hygiene, Berlin University:

In the application of the method of shehitah I can see no cruelty to animals.

Professor Hertwig, director of the Anatomic Biological Institute, Berlin University:

I associate myself with the opinion of numerous physiologists and pathologists that no cruelty to animals is involved in the method of shehitah.

Professor R. Du Bois-Reymond, director of the Department of Specialized Physiology in the Physiological Institute, Berlin University:

Shehitah can appear cruel only to those who * * * have an erroneous conception of the manner in which death ensues in the case of an animal slaughtered by this method.

W. Nagel, director of the Physical Department of the Physiological Institute, Berlin University:

Shehitah, carried out in the requisite expert manner, I do not consider involves cruelty to animals.

E. Salkowski, privy medical councilor, director of the Chemical Laboratory of the Pathological Institute, Berlin University:

From the standpoint of humanity shehitah is unobjectionable. On the contrary, as death ensues very rapidly the method is to be regarded as eminently humane.

Hans Virchow, professor of anatomy, Berlin University:

Involves no cruelty to animals, as consciousness is almost immediately lost.

F. Roehmann, director of the Chemical Laboratory of the Physiological Institute, Breslau University:

The agitation against shehitah is not justified by the facts. * * * Involves no cruelty to animals.

L. Gerlach, director of the Anatomical Institute, Erlanger University:

A thoroughly humane method of slaughter, absolutely unsuggestive of cruelty to animals.

L. Aschoff, professor of pathological anatomy, director of the Pathological Institute, Freiburg:

Produces speedy unconsciousness.

R. Wiedersheim, director of the Institute of Anatomy and Comparative Anatomy, Freiburg:

There can be no question of cruelty.

Dr. Bostroem, director of the Pathological Institute, Giessen:

Shehitah is to be preferred to all other methods of slaughter.

Von Esmarch, director of the Institute of Hygiene, Goettingen University:

Involves no cruelty to animals, but is a method of slaughter thoroughly in accordance with the dictates of humanity.

Dr. Merkel, director of the Anatomical Institute, Goettingen University:

Thoroughly free from any kind of cruelty to animals.

Georg Schneidemuehl, professor of comparative pathology, Kiel University:

Can see in shehitah no cruelty to animals.

J. Rueckert, chairman of the council of the Royal Anatomical Institute, Munich:

Cannot be regarded as cruel, because the severance of the arteries of the throat produces immediate anemia of the brain and consequent unconsciousness.

R. Kobert, director of the Institute of Pharmacology and Physiological Chemistry, Rostock University:

I have long since settled the question in my own mind that shehitah expertly practiced is no cruelty to animals.

Dr. Langendorff, director of the Physiological Institute, Rostock University:

I have no doubt at all that the ritual method of slaughter is to be preferred to all other methods as being the best adapted to its purpose and the least cruel.

Dr. von Grutzner, director of the Pathological Institute, Tuebingen University:

Is not only the best and safest method of slaughter, but owing to its simplicity gives the animal the minimum of pain * * * I hope that very soon all animals will be slaughtered by the throat cut.

Anton Von Generisch, director of the Pathological-Anatomical Institute, Budapest University:

By no means cruel; produces speedy and certain death.

H. Preisz, director of the Bacteriological Institute, Budapest University:

There can be no question of cruelty to animals.

H. Eppinger, director of the Pathological-Anatomical Institute, Graz:

The most suitable method of slaughter * * * Involves no cruelty.

M. Holl, director of the Department of Anatomy, Graz:

An absolutely unobjectionable method of slaughter. * * * superior to all other methods.

Sanitary Councilor Klemsiewicz, professor of general experimental pathology, Graz :

Both from the hygienic and humanitarian standpoints shehitah is superior to all other methods.

A. Lode, director of the Institute of Hygiene, Innsbruck University :

There can be no question of cruelty to animals. * * * Shehitah is not only desirable but, from the standpoint of the better lasting properties of well-drained meat, is superior to all other methods of slaughter.

Joseph Loete, professor of general pathology and anatomy, Kolozsvar :

I should regard that man as lucky who could go to his death with as little pain as an animal killed by the Jewish rite.

Adolf Beck, director of the Physiological Institute, Lemberg University :

The absolute minimum of suffering. * * * Produces immediate loss of consciousness.

P. Kucera, director of the Institute of Hygiene, Lemberg University :

Absolutely no cruelty * * * with regard to the quality and preservation of meat, the speedy complete evacuation of blood by shehitah can only be regarded as favorable.

F. Mares, professor of physiology, Prague University :

Anemia of the brain is the most gentle and natural mode of anesthesia.

Dr. Spira, professor of experimental pathology, Prague University :

The objections to the method of the throat cut on the ground of cruelty to animals are unjustified.

Siegmund Exner, professor of physiology, Vienna University :

One of the gentlest ways of killing an animal.

W. Kolle, professor of hygiene and bacteriology, director of the Institute for Investigation of Infectious Diseases, Berne University :

Represents an unobjectionable method of slaughter both from the hygienic and humanitarian standpoints.

H. Kronecker, professor of physiology, director of the Physiological Institute, Berne University :

I entirely share the views of my colleagues as to the humanity of shehitah.

H. Strasser, director of the Anatomical Institute, Berne University :

The safest method of producing as painless and speedy a death as possible.

* * * There can be no question of cruelty to animals.

H. Christiani, professor of hygiene and director of the Public Health Bureau, Geneva University :

Is not inferior to other methods.

I. L. Prevost, professor of physiology, Geneva University :

No more cruel than the methods usually employed. Presents great advantages for securing good quality meat by more effectually evacuating the blood than in the case of an animal previously stunned.

L. Bolk, director of the Anatomical Institute, Amsterdam University :

I emphatically deny that this represents cruelty to animals.

T. Place, professor of physiology, Amsterdam University :

The best method of slaughtering, and therefore in every respect preferable.

W. Einthoven, professor of physiology and director of the Physiological Laboratory, Leyden University :

Cannot be described as cruelty to animals, and represents a sure and speedy method of slaughter.

J. W. Langelann, director the anatomical faculty, Layden University :

Shehitah is one of the best, perhaps the best, method * * * is far from being cruel to animals.

C. H. C. Spronck, director of the Pathological Institute, Utrecht University.

A humane method of slaughter. * * * The Jewish method is so desirable that it should be universally adopted.

Christian Bohr, professor of physiology, Copenhagen University :

No justification for the charge of cruelty.

Car Jul. Salomonsen, professor of general pathology, Copenhagen University :

There can be no question of any consciousness on the part of the animal.

Giulio Fano, director of the Physiological Laboratory, Florence :

Deserves preference in every respect.

P. Grassi, director of the Institute for Comparative Anatomy, Rome University :

Certainly deserves the preference. Attacks on shehitah are actuated not so much by sympathy for the animal as by anti-Semitic prejudice.

B. Bang, professor at the Royal High School for Veterinary Science and Agriculture and Veterinary Surgery, Copenhagen :

I adhere to my previously expressed opinion as to the value of the Jewish method of slaughter.

C. O. Jensen, professor of general pathology and pathological anatomy at the Royal High School for Veterinary Science and Agriculture, Copenhagen :

I adhere in every respect to my opinion as to the humanity of the Jewish method.

Dr. Esser, director of the Veterinary Clinic, Goettingen University, formerly district veterinary surgeon :

A humane method, satisfying all the requirements of humanity to animals. * * * The possibility of cruelty is out of the question.

Dr. Olt, professor of veterinary medicine, Giessen University :

Shehitah is the best method.

Dr. Martin, professor of veterinary medicine, Giessen University :

I cannot approve of the continued attacks on the Jewish method of slaughter.

Dr. Rubeli, professor of veterinary medicine, Berne University :

I still adhere to my previously expressed opinion as to the humanity of shehitah.

Joseph Szpilman, rector of the Royal Veterinary College, Lemberg :

Very desirable, if shehitah * * * could be generally employed.

J. Burger, district and court veterinary surgeon, retired, Coburg:

Neither shehitah, nor the preliminary operations, therefore, are to be regarded as cruelty to animals.

Veterinary Councilor Heyne, departmental veterinary surgeon, District Posen:

Cannot be regarded as cruel; it is neither more painful nor cruel than the method of slaughter involving preliminary stunning.

J. Rosenthal, director of the Institute of Physiology, University of Erlangen:

Shehitah, one of the best methods of sparing the animal to be killed unnecessary suffering, and of producing unconsciousness as speedily as possible.

Dr. Dammann, director of the Veterinary College, Hanover:

There is therefore no justification in characterizing death from hemorrhage as torture. On the contrary, shehitah entirely satisfies the requirements of the societies for the prevention of cruelty to animals—a very proper and ethical requirement—that animals must be killed by the quickest and most merciful method possible.

Shehitah has the great advantage of never failing, but invariably swiftly and unerringly achieving its object.

Carl Mueller, department veterinary surgeon, retired, Stettin:

For the animal shehitah is the least painful and cruel; hygienically it is the most advantageous and suitable * * * the general introduction of the Jewish method can be recommended as eminently desirable.

Veterinary Councilor Wallmann, department veterinary surgeon, District Erfurt:

From the humanitarian and sanitary standpoints it is to be regarded as the most perfect method of slaughter.

M. A. Chauveau, member of the institute, inspector general of veterinary colleges, professor at the Natural History Museum, Paris:

All the depositions made by the physiologists go to prove that shehitah is not more cruel than other methods of slaughter—indeed, one may assert that it is less cruel to slaughter animals according to the Jewish method than to kill them by any other of the customary modes of procedure.

V. Pollinger, director of the Pathological Institute, University of Munich:

Ritual slaughtering of animals, performed in the requisite expert manner, satisfies the requirements of the Society for the Prevention of Cruelty to Animals, and is equal to other methods of slaughtering animals.

Max Borst, director of the Pathological Institute, Wuerzburg:

I consider shehitah, rightly performed, to rank with any modern method of slaughter. * * * Involves no cruelty to animals.

Alfred Trawinski, professor at the Veterinary Academy, Lwow:

The prescriptions issued by Moses and the Jewish Talmudists (concerning shehitah) conform to the general principles of modern surgery, "cito, tuto, incunde," that its performance should be speedy, certain, and painless.

Dr. J. Bongert, director of the Institute of Nutritional Science, Veterinary College, Berlin:

When the animals are slaughtered by a qualified Jewish official (shohet) in the manner prescribed by the Jewish ritual no cruelty to animals can be seen in this mode of slaughter.

Dr. M. Cremer, director of the Physiological Institute, Veterinary College, Berlin :

After what has been said I can perceive no cruelty to animals in shehitah.

Dr. M. Rubner, director, Physiological Institute, Berlin :

To sum up, I maintain the decision given by me in 1908, namely, that no cruelty to animals can be perceived in the practice of shehitah.

Dr. W. Klein, professor at the Institute for Anatomy, Physiology and Hygiene at the College of Agriculture, Bonn :

In my opinion the prohibition of shehitah according to rite as a method of slaughter must appear to any unbiased expert to be wholly absurd.

C. A. Lovatt Evans, professor of physiology at London University :

My opinion as a physiologist is that I should think this method is as humane as any other in use, or likely to be brought into use.

I should be happy to think that my own end were likely to be as swift and painless as the end of these cattle killed in this way undoubtedly is.

I should say that it is granted to few human beings to make their exodus in so swift and painless a manner.

Jewish religious law requires that the animal be in a state of health and shall not have suffered any injury in a vital organ prior to the act of shehitah.

Any method of rendering the animal insensitive produces or may produce such lesions or injuries.

Many noted authorities, most of whom are not Jewish, have established that shehitah is at least as humane as any other method of slaughtering, including rendering the animal insensitive by mechanical, electrical, or chemical means.

For example, Sir C. S. Lovatt Evans, D. S. C., F. R. S., emeritus professor of physiology at London University said categorically :

My opinion as a physiologist is that I should think this method is as humane as any other method in use or likely to be brought into use for the purpose.

Sir William Bayliss, M. A., D. S. C., LL. D., F. R. S., professor of general physiology in the University College, London, was equally emphatic :

The Jewish use of the knife is a humane method of slaughter which compares favorably with any other process.

It is not surprising that within the Jewish community there is such unanimity of opposition to the bills being considered by this committee.

There is a sorrowful history behind legislation such as this. We do not impugn in the slightest the motives of the proponents of the bills before this committee.

Unfortunately, however, the motivations of those who have pressed for legislation such as this in other countries and at other times have not been as benevolent.

For many years the false slander that shehitah is inhumane has been used as a weapon by those who would exterminate the Jewish people.

It is significant that one of the first acts of the Nazis upon securing power in Germany was to promulgate laws forbidding shehitah under the guise of humane considerations.

In every country that came under Nazi domination and control one of the first laws to be promulgated was a law banning shehitah.

In Norway, for example, the principal proponent of the antishehitah was a collaborator of the notorious Major Quisling.

Our concern is further heightened by the fact that even in England where shehitah is exempt from the humane slaughtering law, that law has been used as a springboard for a continuous campaign to label shehitah as inhumane and to ban it.

For these reasons we respectfully express our opposition to the measures before this committee.

Finally, Mr. Chairman, a few words as an American. Mrs. Griffiths, the distinguished author of one of the bills now on the agenda, testified before the Senate Subcommittee on Humane Slaughtering of Livestock and Poultry on May 10, 1956, that, "We have lead behind other nations" with regard to humane slaughtering.

Mr. Chairman, I want to say that the United States of America need not take lessons from any country as to what legislation must be enacted concerning animals. We are proud of the fact that the United States has reached a higher standard of compassion and tolerance both toward human beings and animals than has been achieved anywhere in the world.

Does the United States need such a bill? We take pride in our mutual understanding and religious tolerance. We all want to preserve the harmonious spirit. A bill of this kind, however, will set up counterreaction, that it might force repercussions in the form of hatred and propaganda against law abiding citizens.

I wish to state in conclusion, Mr. Chairman, that American Jewry, more than 5 million in number, is united in its opposition to the proposed legislation.

Thank you, Mr. Chairman.

Mr. POAGE. Is that the entire statement?

Rabbi LEWIN. Yes.

Mr. POAGE. Thank you.

May I ask this general question? Do I understand that you are opposed to all of these humane slaughter bills and you would object to any kind of legislation, no matter what the exemption might be in regard to your own slaughtering?

Rabbi LEWIN. Maybe our counsel will answer that.

Mr. PFEFFER. We are here as representatives of the 21 groups who have met on the basis of the bills which have been introduced.

Our authority as agents of that large group is limited by the mandate given to us. That mandate is to oppose the present bills which are before this committee, which are listed.

We have no authority to make any comments on any other bills not before this committee.

Mr. POAGE. What I am trying to get at is this: Is it your position that there should not be any legislation of any kind in regard to humane slaughtering in the United States?

Mr. PFEFFER. Never. I cannot say that. I can say if any other bill is presented, other than those before us, the organization which I represent will consider them and reach a decision on it.

All I can say is they have reached a decision only in respect to the bills presently before you.

Mr. POAGE. Do you see any way after listening to the testimony—do you see any way that it will be ever possible to pass any bill and at the same time meet the objection that has been raised?

Mr. PFEFFER. I cannot say that it would and would not. I can only say—

Mr. POAGE. You are a lawyer. Do you see any way that it could be done?

Mr. PFEFFER. As a lawyer I represent the clients—not myself, my own views.

Mr. POAGE. I recognized you not as a lawyer but as a witness—I did not know you were representing anybody. I recognized you as a witness, but, of course, I will not insist that you testify if you do not want to.

Here is what I would like to know: Is there any way that this committee could ever write a bill that could possibly meet the objections that have been raised?

I do not mean there is anything wrong with that, if your objections are to all legislation of this kind, certainly that is perfectly proper and there is nothing wrong with anybody being opposed to any and all legislation.

All I want to know is what are the facts.

Mr. PFEFFER. I cannot answer that because it is not necessarily a single position of all of these groups. Some might and some might not.

All of these groups which we represent here and for whom I am speaking are united only in opposition to the bills presently before the committee.

Mr. POAGE. Then I did not understand the testimony of the rabbi. I understood him to say that there would not be objection to humane slaughter, which your religion does not oppose—of course not—but the objection was because he felt that any regulation of any kind of slaughtering would somehow or other state some restriction upon the methods.

I pass no objection upon his method. I think it is perfectly proper. I would not want any legislation to deny him the right to slaughter as he sees fit.

Does he mean to imply that nobody could have any regulations in the United States that would not be considered a reflection on his methods?

Mr. PFEFFER. I do not think that the rabbi, as I understood it—and I followed the statement very carefully—expressed an opinion on any legislation other than the proposed bills before this committee.

Mr. POAGE. Now, Mr. Pfeffer, this committee has this subject before it. We are not here to consider Mrs. Griffiths' bill or Mr. Dorn's or Mr. Dixon's bills. This committee is here to act on the subject matter. This committee can and probably will write its own.

If you want to make a statement that is going to have any effect on the legislation we invite you to make it. If you do not want to make a statement that affects the legislation, that we probably will bring out, you will have passed your opportunity when you walk out of this room.

Rabbi LEWIN. May I suggest that you give us permission in answer to your very important question to submit our statement in writing in the very near future?

Mr. POAGE. Certainly we will. We will be glad to.

Mr. ALBERT. May I ask this question? I can appreciate your objection to this legislation.

Certainly neither this committee nor the authors of these bills intend to imply that any religious method of slaughtering animals is inhumane. I know that is the last thing that the authors of these bills, all of whom I know personally, intend.

I am sure you are right that under the guise of humanity, dictators have come in and interfered with the freedom of your religious worship.

Would it make any difference in your judgment if, rather than putting religious practices as an exemption in the bill these practices were included as one of the humane methods that might be authorized? Would that be satisfactory?

Mr. PFEFFER. We would like to answer that in a supplementary statement on the basis of the discussion we have had here.

Rabbi LEWIN. Yes.

Mr. PFEFFER. We prefer not to answer it without consultation with the organizations.

Mr. POAGE. We would be glad to have your statement. This committee is going to act. This committee has no intention of sitting on this for the next 6 months. We are going to take action. We will bring out something or we will not pass any bill—we will take some action.

And we would like very much to take action that will meet your objections. Frankly, we do not want to pass something here merely to injure anybody. We haven't the slightest desire to do that.

We do not want to reflect on anybody. Personally speaking, for myself, I find no objection to your practices, but I do feel that we should not let somebody's objections stand in the way where it does not involve their own practices.

All we ask is that you give us a positive statement of whether we can ever pass a bill that will meet your objections or whether we cannot. And give it to us shortly.

And if you find, as suggested by Mr. Albert, we will be delighted to have them, because we want to incorporate them in our record.

Rabbi LEWIN. We appreciate very much your statement. We will act in accordance with your request.

Mr. POAGE. Thank you.

Mrs. Griffiths, you have a witness to present.

Mrs. GRIFFITHS. I would like to present Dr. Myra Babcock, who is one of the greatest practitioners of anesthesia that this country has.

Dr. Babcock, would you like to say something? I know she is very much in support of this bill.

STATEMENT OF DR. MYRA BABCOCK, PLEASANT RIDGE, MICH.

Dr. BABCOCK. Mr. Chairman and members of the committee, I appreciate being asked to do this, and I appreciate the courtesy extended.

I won't take long.

In the first place, I know from personal experience that carbon dioxide is a very comfortable thing to take. I do not think anybody needs to be afraid of that.

But that it could possibly produce any damage to tissues, if it produces it to the point of death—might possibly at the point of death.

I would like to say nobody actually knows what goes on at the point of death of a quiet, comfortable, fearless, painless death.

Probably change does take place, at the end of terrified, horrible death as administered in so many packinghouses. Nobody yet, I believe, has thoroughly investigated the conditions.

We do know cortisone, that lactic acid may be found in the muscles which are not particularly harmful, but there are other certain pathologic changes which may be from this strain and terror that may have some effect upon it.

And with the fact at the present moment more meat is consumed by America than any other country in the world, the death of that meat in America according to the testimony is done in a most cruel manner. And the people—the men and women—particularly the men—have had a terrific rise in blood pressure and hypertension. That is one of the deadly diseases with which we deal today.

And the most menacing, the most horrible thing is the dreadful destruction of young and middle ages—some young, mostly middle-aged and older people just toppling over with coronary. It is the most common thing in the world. Some have just walked across the bedroom floor and fallen over—and had had a complete electrocardiogram and yet he dropped dead.

We don't know if this has any relation to the way the animals are being killed. But we do not know that it has not.

The last thing I would like to say very briefly: Why in the name of heaven do we sit here for hours when there are laws at present in the United States and in practically every State of the Union which covers the prevention of cruelty to animals?

Why it has to be an economic thing that keeps it from being enforced? Mr. Dawson, we asked him.

I didn't know how to do it—the only way I knew how to do it was to do it this way.

But the packers with plenty of money, the packers persist in using this horrible death. If you have seen the actions in the slaughterhouse you can appreciate that it is hideous. The animal fighting with every intelligence that its poor brain has, every power of its pitiful muscles, every reflex in its body, pouring out all to save him from a dreadful death.

When you think of that it seems to me it is very—a small thing for the United States Government to pass a law that will give as reasonable time as possible to get rid of the horrible, disgraceful slaughter which the United States is engaged in at the present moment.

I thank you. [Applause.]

Mr. POAGE. Thank you.

Now, the bell is going to ring in just a few minutes, and I think probably there will be a rollcall very shortly, but we will proceed as far as we can here.

Dr. Munk is not going to testify further as I understand it, nor the American Section Agudas Israel World Organization nor the Union of Orthodox Rabbis. We have already covered those.

We will next hear Mrs. Bemelmans and following her Mr. Cohn. Rabbi LEWIN. Mr. Jules Cohn was included in the presentation.

Mr. POAGE. All right. Thank you.

Then next will be Mr. Gesell.

Now we will hear Mrs. Ludwig Bemelmans.

STATEMENT OF MADELEINE BEMELMANS, SOCIETY FOR ANIMAL PROTECTIVE LEGISLATION, NEW YORK, N. Y.

Mrs. BEMELMANS. My name is Madeleine Bemelmans. I represent the Society for Animal Protective Legislation. I have come here today with a petition signed by thousands of people from all parts of the United States earnestly and respectfully urging you to do everything in your power to obtain enactment of compulsory humane slaughter legislation in this session of Congress.

I am sure that if slaughterhouses were open to the general public the signatures would run into the millions.

A few weeks ago I asked a friend, whose business brings him in contact with the packing industry, if he could arrange for me to visit slaughterhouses in the New York area. His reply was, "Why subject yourself to an experience the result of which will be that you won't be able to eat anything at all for at least a week?"

The film you will see should give you some small idea of what he meant.

If time permitted I could read you editorials and articles published in newspapers from Maine to California expressing indignation at this national disgrace.

We have here for your inspection the Remington gun, the Cash-X pistol, the Schermer stunner, and the electric knife for stunning poultry, all of which demonstrate that more humane methods are possible and practical.

Recently we received the good news that the price of equipment utilizing carbon dioxide has been substantially reduced. And certainly large-scale production, resulting from a wider demand for it, will lower its cost still more.

One of the main arguments advanced by those who oppose compulsory legislation is that the instruments for humane slaughter have not been sufficiently tested. This is contrary to fact, and furthermore, if perfection is ever to be arrived at, it will be achieved—not by study groups, however valuable they may be—but in the practical application of the means at hand.

So long as existing conditions prevail, who of us, with a clear conscience, can eat meat produced at the cost of so much needless suffering on the part of the animal that dies for our benefit?

Cruelty is expensive because it is wasteful. It is demoralizing to those who practice it and to those who condone it. It should be outlawed.

If time permitted I could read editorials from newspapers from Maine to California, showing indignation at this national disgrace.

We will have a film.

Mr. POAGE. May I ask you about that knife before you leave? How it works, because we had testimony a while ago, even this morning, that it took 15 seconds for an electric shock to result in insensibility as I understood it.

Mrs. BEMELMANS. This is in addition to the shock. There is actually a blade there. This is hitched up to a machine which resembles a radio, and so the shock plus the blade will stun.

Mr. POAGE. It seems to me that the blade would have already killed the animal before the shock became effective.

Mrs. BEMELMANS. I think if the throat is cut, if the head isn't severed, the animal will still be conscious during the period.

Mr. POAGE. If the head were not severed, but in the case of poultry, practically, it is severed, isn't it?

Mrs. BEMELMANS. No, not in all cases. And in the bills one of the provisions is, I believe, that killing of poultry by severing the head is an acceptable method.

Mr. POAGE. Yes.

Mrs. BEMELMANS. But in cases where the people prefer to bleed the animal then this knife is acceptable.

Mr. POAGE. It is possible that would be effective on larger animals?

Mrs. BEMELMANS. Yes.

Mr. POAGE. Thank you.

Mrs. BEMELMANS. Thank you.

Mr. POAGE. The next witness is Mrs. Robert Gesell, representing the Animal Welfare Institute, 22 East Seventeenth Street, New York 3, N. Y.

STATEMENT OF MRS. ROBERT GESELL, ANIMAL WELFARE INSTITUTE, NEW YORK, N. Y.

Mrs. GESELL. I am taking the place of my daughter, Christine Stevens, who is the head of the Animal Welfare Institute. She has previous engagements so could not come.

I would like to read just a word of something that has just come because it appears that some people say that carbon dioxide is not as humane a method of producing insensibility in animals about to be killed.

My husband was a chairman of the Department of Physiology in the University of Michigan for 31 years and he knew that carbon dioxide is a humane method on people, at least. And here is some new work that has been done in England just recently on human beings, and I do not see how better you can prove that carbon dioxide is a humane method.

There is also work that is quoted in my daughter's testimony of, I think, Dr. Blomquist in Denmark where they have tried out this carbon dioxide method by finding that animals are insensible to touch or to be stepped on with wooden shoes after they have been in carbon dioxide atmosphere for about 20 seconds.

And for 15 seconds of that time they are absolutely unconcerned. There are some reflexes. That is also true of human beings in England.

I would like to add on my own account that there are a great many less ordinary housewives that are considering needless cruelty a sin.

And when it is on 130 million helpless, innocent animals every single year in our great slaughterhouses, then it is really too horrible to contemplate.

But as the St. Louis Post-Dispatch said in its editorial on this subject last year, perhaps they recognize that repugnance to cruelty is still a test of civilization. The methods of slaughter being employed and that we tolerate—it reflects on every one of us, and especially when there are at least tested instruments—you have seen them here—that can bring about humane killing. These have been used for many years in foreign countries. And some of them have been used in very few places in these United States.

But what is done about it? We know all of this. Nothing is done. All we can do is to implore every Member of this Congress to take the clear opportunity to do justice and mercy and give our country, also, humane slaughter.

Thank you.

Mr. POAGE. May we thank you.

And may I state for the record that Mrs. Stevens has called on me in connection with this bill, and she explained that she was not going to be able to be here on this date.

But she wanted us to proceed as expeditiously as we could, and she raised no objection to the setting of the hearing at this time although she regretted that she could not be present herself.

I did want to make it clear that Mrs. Stevens had been very active and very interested in these bills and in these hearings.

(The prepared statement by Mrs. Stevens is as follows:)

STATEMENT BY MRS. CHRISTINE STEVENS, PRESIDENT, ANIMAL WELFARE INSTITUTE

My name is Christine Stevens. I am president of the Animal Welfare Institute, and in that capacity I have made a study of humane slaughtering methods, visiting slaughterhouses in the United States, England, Holland, and Denmark. The institute is sponsoring scientific research on slaughtering methods, including studies on electrical stunning and on the anesthetization of the bovine species with carbon dioxide. This work is being conducted at Michigan State University. The institute has collected a substantial body of technical information on the practical application of all humane methods of slaughter, as well as information on the historical background and legal status of humane slaughter throughout the world.

So far as we have been able to ascertain, neither the underdeveloped countries nor the Communist countries have humane slaughter legislation. However, laws requiring packers to use humane methods of slaughter are in force in England, Scotland, Northern Ireland, Holland, Denmark, Sweden, Norway, Finland, Switzerland, New Zealand, Fiji, and parts of Australia, Austria, Germany, and France.

Why is the United States absent from this list? Why does our country fall instead into a class with the technologically backward among nations, and far worse, into a class with those nations whose Communist rulers have no pity for either people or animals and no shame in the perpetration of cruelty? The reason is not hard to find. It is the packers whose stubborn resistance to humane slaughter is responsible for this national disgrace.

About 30 years ago humanitarians made great efforts to change the cruel methods in use then and still in use today to kill the large majority of our food animals. Under this sharp stimulus, the American Meat Institute, which represents the largest and most powerful members of the industry, formed its committee for improved slaughtering methods in 1929. The packers promised to adopt humane methods voluntarily. A major speaker at the convention of the American Humane Association in that year announced with confidence that the packers are with us.

Events have proved conclusively that they are not. Since 1929 the organized packing industry has carried out formal scientific research on a single humane

method—electrical stunning. As a result of that research they managed to obtain a regulation against electrical stunning by the Department of Agriculture. The validity of the research has been questioned by later scientific findings, but the regulation still stands.

Now the packers are sponsoring bills in both the House and the Senate (H. R. 5820 and S. 1213) to do research with Government funds and thereby put off again for 2 more years at least the enactment of compulsory humane slaughter legislation. No country in the world has ever achieved humane slaughter for the majority of its food animals until compulsory humane slaughter legislation has been enacted.

During the course of these hearings it will doubtless be observed that everyone who testifies states that he is in favor of humane slaughter. How can it be then that hundreds of millions of helpless animals continue to be slaughtered without the slightest attempt to prevent acute pain, terror, and foreknowledge of death? Actions speak louder than words, and it is time that the packers' empty words and broken promises be recognized for what they are. It is time to enact compulsory humane slaughter legislation.

America's greatest strength is her moral strength. Americans abhor cruelty. It is inconceivable that a relatively small and completely selfish group should be allowed to continue practicing unnecessary cruelty which is contrary to the principles on which our country was founded.

Since everyone, even the most implacable opponents of compulsory legislation, takes the position that humane slaughter is desirable, the question on which the distinguished members of this committee are asked to make a decision is whether or not packers should be required to use humane methods. In order to do that, the arguments against compulsion should be carefully reviewed and seriously considered. The packers offer five arguments against humane slaughter legislation of this kind.

First, they say that it isn't necessary because they will adopt humane methods voluntarily. But they have had nearly 30 years in which to make good their promises to do so. Many hundreds of millions—more than a billion animals—have died in agony because the packers have been so successful in fooling the public, in putting off again and yet again the day when they abandon their primeval slaughtering methods. If they really plan to adopt humane methods, how can they honestly object to legislation which gives them 2 to 3 years to put the method of their choice into operation? Nevertheless, object they do.

Their second argument consists of complaints that humane slaughter is too expensive for small packers. In making this assertion they do not, of course, say that the humane stunners (the Cash-X captive bolt pistol, the Schermer stunner, and the Remington stunner) which range in price from \$100 to \$220 cost too much. Their complaints on cost have been directed solely against the carbon dioxide anesthetizing equipment. Testimony was offered last year by all three packer organizations at the Senate hearing on the compulsory humane slaughter bill.

Mr. Larson, testifying for the American Meat Institute, said, "If you could develop those things (CO₂ machines) keep the cost down of the equipment and operation, it would be fine, we would all go along with you. If you have to spend \$75,000 or \$100,000 for just that particular equipment alone, it just could not be done." Mr. Larson slaughters 150 hogs a week, and we surely agree with him that seventy-five to one hundred thousand dollars is an unreasonably big cost for equipment for his size of plant. Mr. Barnette, also testifying for the American Meat Institute and slaughtering 175 hogs a week, stated, "It would cost no less than \$100,000" for the carbon dioxide equipment, and he further said, "We hope that something will be developed that will allow us to join in as quickly as we can in carrying out the slaughter from as humane a standpoint as it can be." Mr. Lillienquist, representing the Western States Meat Packers Association, said, "The cost of treating hogs with carbon dioxide gas to render them insensible prior to slaughter is far beyond the financial reach of the small meatpackers." Mr. La Roe, testifying for the National Independent Meat Packers, emphasized the same points: "They are not satisfied with present arrangements for slaughter, and they welcome any improvement, and what scares them to death is these big figures of cost." Mr. La Roe concluded his prepared statement with the following sentence: "If you will keep it on your docket for 12 months and call us back to show cause what has been done in the 12 months, that will be a very reasonable policy and will avoid harshness and the dangerous effect of sudden legislation."

Since Mr. La Roe made this statement, 11 months have gone by, and an extremely important development has taken place. It is now possible to purchase a carbon dioxide anesthetizing machine for approximately \$3,500 in this country. Such a machine will anesthetize up to 60 hogs or other small animals per hour. Cost of carbon dioxide is less than a penny per animal. Including installation cost, the expenditure might reach \$5,000—not just 100 or 200 percent less than the amount the small packers imagined it would cost, but 2,000 percent less.

At this price, any one of the approximately 500 packers operating under Federal meat inspection, engaged in interstate or foreign commerce, would be able to afford to install a piece of practical, bruise-preventing equipment of this kind. The improvement in his labor relations and public relations alone should soon repay the investment.

Further, if he believes that he could build himself an anesthetizing machine at lower cost than he can purchase it, there is nothing to prevent him from purchasing carbon dioxide and building himself a small elevator for lowering animals into the gas before slaughter.

Last year cheap anesthetizing machines were available in Europe but not in America. This year, this equipment is available in different sizes and shapes for all types of plants ranging from \$3,500 to \$39,000,¹ the latter figure being cost of equipment capable of handling 600 hogs per hour. The average cost of installation is about half again as much as the cost of the equipment. If the packer desires to install a bleeding conveyor, in addition, he may do so, but it is not necessary for compliance with compulsory humane slaughter legislation.

With a carbon dioxide anesthetizing machine of a size suitable to his operation, and any one of the three stunning instruments on the market, every packer can humanely kill in a practical and efficient manner every animal received in his plant. Most would probably elect to anesthetize hogs and sheep with CO₂ and stun cattle with a mechanical instant stunner. The methods have the approval of the Department of Agriculture.

Small, neighborhood butchers who do not engage in interstate and foreign commerce would not be affected by Federal legislation on the subject and would not be required to conform to its provisions. However, any small packer who wishes to do so can follow the lead of the small operators who voluntarily shoot all the animals they slaughter with a rifle or pistol just before bleeding. This does not require any investment at all other than the ammunition.

To sum up, if there is any packer engaged in interstate and foreign commerce who would be put out of business by the costs noted above, I urge this committee to ask him to identify himself. My inquiries have failed to unearth such a packer.

These inquiries have, however, brought to light a packer attitude which shows why it will be necessary to enact compulsory legislation if we are to achieve humane slaughter in our country. A typical response to current requests by humanitarians to packers to install humane equipment voluntarily is to the effect that: (1) "We are going to wait until the research promised under the packers' proposed study commission bill is done before we install any equipment" (this means no purchase of any humane equipment till 1959 at the earliest and no guaranty that it will ever be purchased) and (2) "If the compulsory bill passes, instead of the study commission bill, everybody will have to buy humane equipment, and so the price will probably go down. So we'll wait and see if it doesn't."

The second attitude is not based on actual cost of equipment or ability to purchase it but merely on the desire to get a bargain. There is nothing wrong with this very natural and very widespread desire, but it is necessary to recognize its existence so as to avoid the mistaken belief that humane methods of slaughter will be voluntarily adopted by all packers, or even by a majority of packers engaged in interstate commerce.

No financial obstacles of any consequence exist to prevent immediate enactment of compulsory humane slaughter legislation. All the bills allow 2 years

¹ Cost of anesthetizing equipment for different sized plants as estimated by the Allbright-Neil Co., February 1957:

60 hogs and under per hour-----	\$3, 500
60 to 120 hogs per hour-----	9, 000
121 to 150 hogs per hour-----	14, 700
151 to 300 hogs per hour-----	23, 700
301 to 450 hogs per hour-----	31, 000
451 to 600 hogs per hour-----	39, 000

to adopt humane methods, with an extra year in special cases. Liberal tax allowances are helpful in making capital improvements. The equipment pays for itself in savings in bruising and operation.

To turn to the third objection made by the packers, they have sought to assert that it is all very well for European packers to kill animals humanely, but American animals are so "fractions" and wild that American packers can't be humane. Such a point of view shows a total lack of sympathy for American packinghouse workers. The more fractions and wild the animal the more essential it is that it be anesthetized or stunned before slaughter. The accident rate for the packing industry is almost double that for all industrial activity combined, and it is rising. Why should any human being be compelled to earn his living in the midst of blood-curdling screams, splashed with blood, and in constant danger of severe bites, kicks, deep knife wounds when the knife is deflected by a struggling animal, or being crushed when a heavy animal falls on him? None of this is necessary. It will be stopped if compulsory humane slaughter legislation is enacted.

The fourth objection put forward by the packers is based on the high speed of operation. Anyone who has seen the high-speed anesthetization and slaughter of hogs at the Hormel plants or at Kingan & Co., or the stunning of cattle with a captive bolt pistol at the Oscar Mayer Co., knows this objection is unfounded. Any desired rate of speed can be achieved with anesthetization or stunning. The animals come out of CO₂ machines at any rate from 60 to 600 per hour and a rate of 1,200 per hour can be obtained by running two parallel tunnels. As for cattle, the attempts to stun them with a hammer, which so often require blow after blow to bring the animals down, are certainly no more rapid than accurate stunning with a mechanical instrument. The number of cattle killed per hour on any killing floor depends upon the number of beds in use, not upon whether a hammer or a humane stunner is used on the animals.

The packers' fifth and last argument is directed against carbon dioxide, on the peculiar contention that it is no more humane to put an animal to sleep with this gas so that he will be unconscious when his throat is cut than it is to drag him up screaming by a chain around his hind leg, letting him struggle and writhe till he sometimes breaks his own pelvis as he is sent over the great wheel to the stickler who thrusts a knife into his throat and leaves him to bleed to death. This contention is as fantastic as it sounds, but so assiduous are the representatives of the packers in claiming that CO₂ suffocates rather than anesthetizes animals that it is essential that this committee have conclusive scientific evidence on this subject. Following are excerpts from the article, *Stunning Pigs With Carbon Dioxide*, by Dr. S. M. Blomquist, of the Danish Meat Research Institute; it appeared in Danish in *Slakteriernes Forskningsinstitut*, December 15, 1956, and is scheduled to appear in the *English Journal, Food Manufacture*, this spring. Dr. Blomquist writes: "The narcotic effect of CO₂ was demonstrated by Henry Hall Hickman as early as 1827 (Poulsen, 1952). * * * It is known (Meduna, 1950) that an isolated nerve in a high CO₂ tension milieu demands greater irritation to react, that is, to send out impulses. In addition, it is known that the speed of the impulse along the nerve is reduced. CO₂ also has the effect of making the transfer of impulses from one nerve cell to another more difficult because the connections between the nerve cells (synapses) are partly blocked by the high CO₂ concentration. These conditions make CO₂ an effective anesthetic. * * * The reaction of pigs to CO₂ stunning was investigated during an experiment carried out by the Danish Meat Research Institute. Seventy percent CO₂ in ordinary air was used. The pigs moved around rather freely during the experiment, and a person with a supply of fresh air followed the animals during the experiment. During the first 15 seconds the animals were apparently unaffected by the stunning gas. They went around calmly sniffing manure from other pigs and showed no sign of cramps in the pharynx, larynx, or bronchi. Nor did they seem to have smarting in the mucous membranes. Fifteen seconds after the pigs were let into the stunning chamber there appeared a state of excitement, where they bent their head backwards and fell over on their side. It was impossible at that point to make any investigation of the corneal reflex (blink reflex when the cornea is touched), but 5 seconds after the beginning of the reaction the sense of pain seemed to have been lost, or, at any rate, greatly reduced, since the pigs did not react when their hooves were stepped on with wooden shoes. At this point all eye movements had ceased. The pigs did not follow a hand drawn before their head. The skin was still sensitive to a slight touch. Fifteen seconds after the beginning

of the fit the corneal reflex disappeared. The time periods mentioned were approximately the same for 5 experimental animals.

"From the knowledge of the cause of narcoses in general (Moller, 1932) it can be concluded that the pigs rather suddenly lose consciousness about 15 seconds after they are put into the CO₂ atmosphere. A few seconds later there is no longer any sense of pain and after a few seconds more the animal is generally anesthetized, that is, feeling of pain, consciousness, and voluntary and involuntary muscular movements disappear, without essentially affecting circulation or any other vital function. * * *

"The animals wake up calmly during the course of 1½ to 2 minutes if they are allowed to lie; 10 to 15 minutes later they have completely recovered."

It is while they are under general anesthesia that the animals are slaughtered. Thus they are unconscious and feel no pain.

Poultry, too, can be anesthetized using CO₂. A humane stunning method in wide use for poultry is the electric knife² which is touched to the birds' heads before being used to cut their throats. The electric current passing through their brains renders them unconscious. Poultry can also be humanely killed by stunning with a sharp blow on the back of the head before bleeding or by cutting the head off at one stroke.

To sum up, several humane slaughtering methods for livestock and poultry are easily available to all who wish to use them. Two of the stunning instruments, the captive bolt pistol and the Schermer stunner, have been used for decades in different parts of the world to stun animals before slaughter. Three hundred million animals of all types have been successfully stunned with the captive bolt pistol, according to its English manufacturers, a substantial number of these in the United States. Those packers who prefer the Remington stunner, which does not penetrate the brain, are at liberty to purchase it instead of the British or German stunners, but this is simply a matter of individual preference. Carbon dioxide anesthetization is now available at prices suitable to different sizes of plants.

All that remains is to apply humane methods to the animals. It would be a deep and terrible shame if our country should fail to act honorably on this moral issue.

In every country which now has humane slaughter, the packers fought against compulsory legislation just as American packers are doing. American packers fought compulsory Federal meat inspection in 1905 and 1906, just as they are fighting compulsory humane slaughter legislation today. On these matters the packers are wrong. It is essential that civilized countries should have sanitary meat and that it should be killed without cruelty. The only way to obtain such objectives is by compulsory legislation based on the sound principles common to the bills introduced by Representatives Griffiths, Hiestand, Miller, Dawson and McMillan. I call your attention in particular to the extremely well drawn bills H. R. 3029 and H. R. 5671. I urge you, for the good of our Nation as a whole, to recommend the immediately enactment of these bills.

(The article entitled "Humaneness of Producing Unconsciousness in Pigs With CO₂" is as follows:)

HUMANENESS OF PRODUCING UNCONSCIOUSNESS IN PIGS WITH CO₂

The object of the investigation was that a human subject should breathe air containing increasing proportions of CO₂ and observe the sensations.

The Oxford University Department of Physiology kindly provided facilities, and a member of the Nuffield Department of Anesthetics kindly assisted as life-guard. Air and carbon dioxide were fed into the inspiratory tubes, the flow of each being measured by rotameters. Graphic records were made of respiratory rate and ventilatory volume and samples of alveolar air were obtained when required.

To give time to record sensations (and for safety) the intention was to raise the level of CO₂ in the inspired air more slowly than presumably occurs when pigs are killed. In fact it was raised about 1 percent every one-fourth minute. As the inspired CO₂ rose the breathing became deeper, but though the increase in chest movement was very obvious subjectively there was no conscious effort or other disagreeable sensation. When the ventilation had risen from a resting

² Cost, \$115.

value of about 6.6 l/min to about 80 l/min the CO₂ apparently reached toxic levels and the ventilation declined slightly. At about this point objects were not seen clearly and thought was increasingly obscure. This condition rapidly progressed over the course of about 1 minute, and merged into a dream of an unspecified nature. Observers discontinued the experiment when the subject appeared to be unconscious and his legs were jactitating. The alveolar CO₂ was about 86 mm. Hg at its height. (Normal 40–45 mm. Hg). At no time was there any unpleasant sensation in the respiratory passages.

A more acute experiment was also made, but being unintentional is less well documented. It may, however, more closely represent what happens to the pigs. When the breathing apparatus was being tried out it was thought that they were filled with air, but, in fact, they had a very considerable (but unknown), proportion of CO₂ in them. The subject immediately noticed a distinct metallic taste, his breathing became deeper (though never very deep) for a few breaths and then vision and thought became rapidly affected, though the subject was capable of discontinuing the experiment himself. This was probably the result of much more rapid CO₂ poisoning, the principle difference noted being the metallic taste, and the rapid impairment of consciousness. The level of arterial CO₂ apparently rose through the stimulatory range into the toxic within a few breaths.

Conclusion: Pigs can be rendered unconscious humanely by carbon dioxide.

J. SPALDING, D. M., M. A., M. R. C. P.

MARCH 23, 1957.

Mr. POAGE. Now, Mr. Kearney, and following Mr. Kearney the National Community Relations and Advisory Council.

Rabbi LEWIN. It was one of those covered by us.

Mr. POAGE. Thank you.

Now Mr. Kearney.

STATEMENT OF PAUL W. KEARNEY, BROOKLYN, N. Y.

Mr. KEARNEY. The value of my testimony, if any, is that I am neither a meatpacker nor a humane society worker—but just a man in the middle, here at my own expense.

I am a free-lance reporter of over 25 years' standing, contributing to such magazines as the Saturday Evening Post, Reader's Digest, Better Homes and Gardens, and others.

This experience has brought me in contact with many different types of business, industrial, and governmental enterprises. On the strength of it, I would like to offer a practical and unemotional explanation of the packing industry's resistance to progress. This explanation, which goes behind their crocodile tears for the little packer, is very simple. It is inertia.

Despite our justifiable admiration of American business initiative, it is a historic fact that business has always been allergic to change for the better. Back in 1906 these same packers fought Federal meat inspection tooth and nail. Now they like it.

Likewise, in the early days the bitterest opponents of the pure food and drug laws were the giant pharmaceutical houses—who brought up the same platitudinous objections you hear in this meeting. Today those same pharmaceutical houses are the staunchest supporters of the Food and Drug Administration.

By the same token, our American ships are the safest ships afloat. Today the worst of them are better than the finest under any foreign flag from the standpoint of fire safety and seaworthiness.

But this has not always been true. For years shipowners "endorsed in principle" a rigid safety code. But they did nothing about adopt-

ing that code until a *Morro Castle* disaster provoked Congress to enforce its adoption by law.

It wasn't pigs we were coddling then, but people. Yet it was just as hard to sell the maritime interests on safety to life at sea as it is to sell humane slaughter to the packing industry, despite its proven merits.

This idea of endorsing compulsory humane slaughter "in principle" is a time-honored stall. May I remind you that the entire automobile industry endorsed the four-wheel brake "in principle" as the greatest safety advance of the century. But not one manufacturer put it on a car until the Bendix people embarked on a national advertising campaign to force it down their throats. Such is the inertia of big business.

You will hear much about the advantages of humane slaughter because the leading trade papers in the packing field have carried many articles showing that the Hormel system as a case in point, had doubled production with half the manpower, and has virtually eliminated employee accidents on the hazardous killing floor.

It has also entirely eliminated from the killing floor the barbarity which has been inherent to this complacent industry for 150 years.

The result has been marked benefits to the workers, the management, the stockholders, the consumers—and the animals.

Isn't it pertinent to mention that this same progressive attitude in all of its activities has given Hormel the highest profit ratio in the business? While its competitors are still so retarded that they profess to lose money on every pound of meat sold.

Others will give you ample details of the calloused brutality of our antiquated slaughtering methods—which even the Fiji Islanders have banned by law. Suffice it to say that I saw them within the year in every packinghouse in Omaha, as some of your Members subsequently did. I feel just as well qualified to evaluate those methods from a humane, Christian viewpoint as is any member of the American Meat Institute.

And I say that they are not only shameful in this enlightened age—but they are the most persuasive arguments for vegetarianism that I have ever encountered. And I am not a vegetarian.

So permit me to urge you to end this evil—not by "study" for another 29 years, but by the mandatory adoption of humane methods which pay dividends.

Because when you strip this debate of its emotionalism, its slick evasion, even its medieval religious mumbo jumbo, the cold, hard fact remains that when animal slaughter is efficient, it is humane. And vice versa.

Thank you for this privilege.

MR. POAGE. We are very much obliged to you.

MR. KEARNEY. Thank you.

MR. POAGE. Those were the bells for the rollcall in the House. I do not believe we will be able to proceed now. We will attempt to come back here at 2 o'clock this afternoon.

There may be rollcalls on the floor of the House at that time. If there are, the committee will be on the floor and not in the committee room at the time of the rollcalls. But in the absence of a rollcall at that time, the committee will assemble at 2 o'clock.

We have a request to show a film. Let us have the film set up, if possible, so that at 2 o'clock, unless we run into a conflict, we will run the film first. We will then remove that and proceed with the remaining witnesses.

The committee will stand in recess until 2 o'clock.

(Whereupon, at 12:10 p. m., the committee recessed, to reconvene at 2 p. m. this day.)

AFTERNOON SESSION

Mr. POAGE (presiding). The committee will please come to order.

I believe that we had announced that Mr. Mayer would be the next witness. We will be delighted to hear from you. I believe that following Mr. Mayer that Colonel Anthony is present.

Proceed, Mr. Mayer.

STATEMENT OF ARNOLD MAYER, PUBLIC RELATIONS DIRECTOR AND WASHINGTON STAFF MEMBER OF THE AMALGAMATED MEAT CUTTERS AND BUTCHER WORKMEN OF NORTH AMERICA, AFL-CIO; ACCOMPANIED BY LARKIN BIRMINGHAM, BUSINESS AGENT, LOCAL 149, BALTIMORE, MD.

Mr. MAYER. May I introduce Mr. Birmingham, who is a business agent of our local 149 in Baltimore, which has a great number of packinghouses under contract.

Mr. POAGE. We are delighted to have you here, Mr. Birmingham. You may proceed and we will be glad to hear from you.

Mr. MAYER. Thank you, sir.

My name is Arnold Mayer. I am the public relations director and a Washington staff member of the Amalgamated Meat Cutters and Butcher Workmen of North America (AFL-CIO).

The AMCBW is a labor union with 350,000 members, organized in more than 500 local unions throughout the United States and Canada.

The AMCBW and its locals have contracts with thousands of employers in the meat, retail, poultry, egg, canning, leather, fish processing and fur industries.

Basically, it is the function of labor unions to fight cruelty of man against man, especially in the economic sphere. As organizations of workers, the unions' primary purpose is to protect wage earners.

Thus, through unions, workers guard themselves against deprivation and poverty by bringing about an ever-increasing standard of living.

Through their unions, workers provide a degree of job security and the machinery to handle on-the-job grievances, so that they will not be at the possibly capricious mercy of foremen and employers.

Also, through their unions, workers protect themselves against poverty in old age, unemployment, and other eventualities which may occur through no fault of the individuals involved.

But organized workers realize that they are not a group set off by themselves. They know they are part of the entire American community.

Labor unions, therefore, seek to improve the conditions of other groups and the entire community, especially through the support of socially beneficial legislation and through community activities.

The AMCBW takes part in all of the functions of labor unions. In collective bargaining, in legislative activities and in community work, our union and its local affiliates have sought to better the lives of our members; labor, in general, and the community and Nation, as a whole.

We fully realize that bettering the lives of human beings and preventing cruelty of man against man, must have as a corollary the prevention of cruelty against animals. This is one reason why we appear before this committee today in favor of humane slaughtering legislation.

Some of the processes in slaughtering cattle, hogs, and other livestock leave a great deal to be desired from the point of view of humaneness toward animals.

Today, comparatively inexpensive means for correcting this situation are available. And, we understand, that these means are completely practical.

Our other reason for supporting the humane slaughtering legislation is our concern for the welfare of the workers in the packinghouse industry. More than 100,000 packinghouse workers are members of our union.

Many of the jobs involved in the current process of killing hogs and cattle are dangerous, dirty, and nauseating. The workers do not like these jobs and generally want to be moved to other work in the packinghouse.

Probably the most heartily disliked job is the shackling of hogs. Workers must go into a small pen crowded with emotionally disturbed hogs. They must reach down among the animals to put a small shackle chain around one the hog's hind legs. The chain is attached to a rail and the hog is yanked up into the air, and is pulled to the hog kill.

This operation is not only extremely painful for the hog; it also provides considerable danger to the worker. The hogs generally thrash around. Their hoofs are sharp. Workers are often gouged. Although the men wear protective equipment, it is not completely satisfactory and injuries are common.

A further danger comes from the great deal of dust which the terrified hogs kick up. As a result, pulmonary diseases, such as tuberculosis and silicosis, are a definite health hazard to packinghouse workers on the shackling job.

The cattle-killing operation is not as dangerous, but it is still nauseating work which is not generally desired. The so-called "knocking" of cattle, whereby a man hits the animal on the forehead with a hammer, is a physically demanding job. Great effort is involved. The pressure of an 8-hour day of this work is tremendous.

Both the shackling and the knocking job would be ended by this legislation. And packinghouse workers will be happy to see them go.

Our members have had experience with the captive bolt gun on cattle and the carbon dioxide tunnel for hogs. They have found them both to be effective and to make for far better working conditions.

In the poultry industry, humane slaughtering legislation will not have much effect on the industrial hazards. However, the legislation will make for some improved working conditions.

Our members have found the electric knife, which is already in use in many plants, to be a practical and humane means of killing poultry.

For these reasons, Mr. Chairman and gentlemen of the committee, we urge the enactment of mandatory humane slaughtering legislation.

We oppose the sections of any bill which allow the interpretation that kosher slaughter is inhumane. Such a conclusion about the slaughter of cattle carried out in accordance with the ritual of the Jewish faith is false.

The ritual provides for the cutting of veins with an extra-sharp knife—a process, which, according to scientific writings, immediately renders the animal insensible.

Because kosher slaughter accomplishes the same purpose as is sought in these bills, that is, rendering the animal immediately insensible, it should be listed as a humane means of slaughter.

Mr. POAGE. We are very glad to have had you, Mr. Mayer.

Mr. BIRMINGHAM, would you care to say something?

Mr. BIRMINGHAM. No, sir; unless the committee would care to ask me some questions about the slaughtering end because I have had 16 years of actual experience in cattle and hog slaughtering.

Mr. POAGE. I feel the committee has seen slaughtering at firsthand. It has probably formed its own opinions, as I have, as to the present methods, but we are delighted to have any opinions from anyone else that wants to express them.

We are delighted to have you with us and appreciate your presentation.

Mr. BIRMINGHAM. Thank you, sir.

Mr. POAGE. Now we will hear from Lt. Col. David J. Anthony.

STATEMENT OF D. J. ANTHONY, MRCVS, DVSM, FRSH, CHIEF, VETERINARY OFFICER, BRIERLEY HILL, AT THE MARSH & BAXTER HEADQUARTERS PLANT, STAFFORDSHIRE, ENGLAND

Mr. ANTHONY. Mr. Chairman and gentlemen, my name is David J. Anthony, chief veterinary officer at Marsh & Baxter headquarters plant, Staffordshire, England.

In Britain up to the year 1930, humane slaughter methods were only carried out in some of the smaller abattoirs, when speed of killing was not a prime consideration.

The weapon used was the captive-bolt pistol, which is a mechanical poleax. The larger meat producers were opposed to the use of the pistol for the stunning of hogs in their plants, and the reasons they gave for not using it were that it would slow up production and leave more blood in the meat and so tend to encourage the growth of spoilage bacteria.

One of the more progressive bacon curers first had the German electric stunning method tried out in 1929. It was then in a very crude and inefficient state.

A year later a new version was tested, and found to be clean, swift, silent, and most efficient. Various tests were made by many eminent scientists, medical and veterinary, and the humane societies approved

of the methods. Marsh & Baxter adopted it as a routine stunner for the smaller animals—hogs, boars, sows, calves, sheep and lambs—throughout all their plants in Britain.

For cattle they adopted the captive-bolt pistol, which they had introduced on trial at the same time. The result was that other meat traders followed suit, and the Humane Slaughtering Act of 1933 followed in due course. From that day to this no British packer has even wanted to go back to the prehumane methods of killing, because after 20 to 25 years practical experience of pistol and electricity, they know they are on a good thing.

The introduction of the gas method at the Hormel plant has been followed with great interest, and if it was not for the fact that the Humane Slaughter Act in Britain only specifically mentions a “mechanical instrument or electricity,” there is no doubt that gas plants would have been installed in many of our plants.

As it is, we are now awaiting a modification in our legislation which will allow “chemical” methods also to be used. Leading packers, as well as our humane societies, are agreed on this, and the Government has also indicated its willingness to change the law.

Even so, there will always be use for the other methods, where the situation does not warrant the expense of chemical installations, or the plant is too small.

Of course, in view of the religious element involved in the Jewish and Mohammedan slaughter ritual, our laws provide for that by complete exemption from the provisions of the act, and in most of the public abattoirs where ritual slaughter is carried out there is a special casting box in use.

This fixes the beast, enables the whole to be turned on its side, with the animal’s neck extended in a position for the ritual slaughterman to do his bleeding, and so saves the violent fall onto a concrete floor which was once so common a feature of this slaughter method.

The controversy over humane slaughter with which we in Britain were so familiar in the 1920’s seems to be largely repeating itself wherever new methods of slaughter are introduced, and I would like to offer a few remarks based upon over a quarter of a century’s experience of the use of humane slaughter methods.

We are told that great damage can be inflicted by the captive-bolt pistol on the animal brain, and so render that article unsalable.

The captive-bolt pistol is just a mechanical poleax, the bolt being driven by a small blank cartridge, instead of the less certain muscular action of the axman’s arms.

A blunt hammer blow does not penetrate the brain, but it does induce hemorrhage beneath the brain membranes just as the captive-bolt does.

We find the captive-bolt does less damage to the brain than ever the poleax did. To penetrate into the brain the bolt must first pass through the outer layer of bone in the animal’s skull, and then the inner layer forming the roof or cover of the brain cavity or cranium.

The two layers of tough bone slow down the speed of the bolt, and it certainly does not tear the brain when its end enters the brain-box itself.

Some hemorrhage may be caused in many cases, but the greatest damage to the cattle brain is done when it is removed from the brain cavity in the skull by the fingers of the slaughterman whose job it is to sever the head from the body.

Throughout the years we have never had any complaint from the food-consuming public about cattle brains, nor have we ever failed to find a ready sale for such articles in our shops.

The captive-bolt pistol can also be used on all the smaller food animals, such as calves, sheep, lambs, boars, sows, and hogs.

It is so used by thousands of small butchers up and down the land, especially in country districts and places remote from electric power.

There are two kinds of cartridge manufactured for this pistol, one ordinary for the smaller stock, and one extra strong for cattle and aged bulls.

We have found no difficulty in using this weapon, nor have we ever had any complaints from any customer.

In the early days of electric stunner operations and in order to demonstrate that there was no injury of a permanent nature caused to the animal, I once performed a short surgical operation upon some adult and aged boars, using as an anesthetic nothing but the electric current from the stunner.

This was done in the presence of three eminent medical and veterinary scientists. The animals operated upon were allowed to fully recover.

About a month later they were slaughtered by the electric humane stunner method. The organs and flesh were carefully scrutinized for any ill effects, but there was none.

Veterinarians working independently of each other, and in alliance with the physiological departments of various universities, carried out special tests to try and find out if electrically stunned hogs bled better than hogs without any stunning.

In each case the muscle blood content of the electrically stunned hogs was less than that of the nonstunned. The amount of blood collected per animal under electric anesthesia was greater than that collected without humane slaughter.

The reason was twofold: (a) Not only does electric stunning by its effect on consciousness completely relax the animal and so reduce the muscular blood content, but (b) the comparative lack of violent reflex movements after shackling and hoisting enables the slaughterman to bleed the animal into the proper receptacle.

In the unstunned hog, the shrieking, terrified animal hangs by one hind leg still fully conscious, kicking and jerking on the rail violently.

When the knife is inserted, the blood spurts out and is splashed all over the place, much of it drying on the slaughter-pen walls and on the slaughterman's clothing.

Blood is a valuable byproduct; it can be used for blood-sausage, or for cattle food, fertilizer, and dried hog serum is a valuable source of protein which can be used in man in cases of excessive protein wastage due to certain kidney diseases.

Those are only a few of its uses. It is a good commercial product, and our plants cannot afford the wastage resulting from bleeding a nonstunned animal even if there were no Humane Slaughter Act.

One of the commonest diseases found in the hog lung in our country is virus pneumonia, and in meat inspection this has taken the place once held by tuberculosis, thanks to the eradication policy which is bearing such wonderful results.

Hog cholera in our country is classed as one of the controlled diseases which, like foot-and-mouth disease, is to be eradicated wherever found.

The laws about this disease of hog cholera are strictly enforced and every veterinarian, whatever his job, meat inspection or not, must not only report this disease to the Ministry of Agriculture, Fisheries and Food, but the diagnosis must be completely confirmed without doubt from the Central Veterinary Laboratory of the Government.

To do this the veterinarian first discovering signs of disease, say in the course of meat inspection, or on the farm, must send to the laboratory sufficient evidence to establish a complete diagnosis.

Every veterinarian must therefore be quite familiar with this disease in all its stages.

As a normal rule, hogs coming into bacon plants for slaughter are naturally bred for that purpose, and appear to the sender to be perfectly healthy and able to stand the journey.

When a case of hog cholera is reported by a veterinarian in a bacon plant, the disease will usually be in a fairly early stage. He may find advanced cases and chronic cases in old sows, but the bacon-hog shows an earlier stage in most of the cases I find.

It has been said that these cases show signs in the hog lungs which might cause a veterinarian to confuse hog cholera with lesions resulting from excessive use of current in electric stunning.

Such statements have never been made by those of us whose job it is to diagnose disease in plants where electric stunners have been in use over a quarter of a century.

I know of no veterinarian in Britain who would be so ignorant of the signs of hog cholera in the lung as to make the mistake of confusing it with electric stunning hemorrhages. The argument just fails to register with us.

Much play has been made with these tiny blood spots which may sometimes be seen in hog lungs. The spotting in hog cholera, paratyphoid and other diseases is often accompanied by an intense blood congestion of the nearest lymph node, so intense as to be almost black in color.

The cholera spots may be anywhere on the lung surface, and there is no mistaking the pneumonia signs accompanying them. The extra oozing of the tiny drops of blood from the smaller blood vessels that may occur if the time lag between stunning and bleeding has been prolonged, is nowhere capable of being confused with hog cholera signs.

This problem of blood spot, or "blood splashing," as we call it, can be produced in any stunned animal by prolonging the time between the act of stunning and that of bleeding.

In the prehumane slaughter days in Britain, the drawing out of the time between stunning and bleeding in order to produce a blood-splashed carcass was a favored method of demonstrators anxious to impress the representatives of the humane societies with the supposed incompetence of the humane killers.

It is a quite harmless condition, and should not occur where the animal has been properly stunned and bled.

To place these instruments in the hands of untrained people is really dangerous because it can be used to discredit the whole humane method of slaughter.

We therefore insist that there should be trained men rather than untrained men on the slaughterhouse floor. Efficiency and speed demands that and we use an 80-volt current applied for a matter of 4 seconds.

We find that ample to produce complete unconsciousness.

In our plants we find the men welcome the introduction of humane slaughter, as it means greater efficiency and less fatigue and danger for themselves.

Most of the cattle we slaughter are young, good-quality steers that have never known what it is to be tied up, and in the case of hogs, they are not all as uniform in size as we would like.

We kill a percentage of sows and adult boars in the 500 pounds and over deadweight category, and we have never found the slightest difficulty in getting them unconscious with the electric stunner.

Provided the instrument is applied with the electrodes of the tongs covering the brain on either side, there is no difficulty.

We find it helps to give the animal a soft fall by covering the stunning pen floor with wood, slatted in 6-inch rectangles to prevent the animal's feet slipping, and covering the lot with some inches of wood shavings.

As the hogs enter they are so intent on smelling these shavings that they take no notice of the electric stunner operator or the shackler.

Their snouts go down in such a position that it is easy for the operator, standing behind and to the side, to snap the tongs into position between ear and eye on each side, switch on the current and gently follow the animal's fall.

In the meantime the shackler has already hooked the chain to the wheel and the hog is away into the bleeding pen in a matter of seconds, all in silence, and with no panic or excitement.

We find the wood shavings keep the pen smelling sweet. It absorbs urine, and can be cleaned out and burnt after each day's killing is over.

Before we had humane slaughter we would normally kill at the rate of about 200 hogs per hour, but since we have had electric stunning we find something wrong if we do not top the 300 per hour mark.

Our plant is of the American pattern, having been constructed under the supervision of an American constructional engineer, and naturally we have the American machines in use, so that, size for size, we can get a fair turn of speed out, using only one hoist at a time to get the hogs bled.

In Britain not only do we control the slaughtering of animals by law, but no one under the age of 18 years is allowed to do the actual slaughtering.

Licenses are issued by local authorities for trained slaughtermen, and these licenses are renewable every 3 years subject to good behavior.

The slaughtering plant itself is also subject to license or registration by the authority in whose municipal or urban area it is situated.

Government departments draw up model bylaws to cover abattoirs, and any local authority can adopt these bylaws and enforce them in their own area if they wish. These laws deal with hygiene and the public-health aspect in general.

At the present time Parliament is considering some new legislation about the siting and construction of abattoirs, and to modify the humane slaughter acts so as to allow the use of gas, as you have it in the Hormel plant here.

Many of our small packinghouse type of bacon-curing plants are ready for the installation of the CO₂ plant, which will probably be of the Danish Wernberg type, suitable for plants with little spare space to work in.

How that will work out with a variety in size of hogs we do not yet know, but the electric stunner will always be needed as a quick and efficient standby, in case of emergency, and for the plant where the expense of installing gas is too much for the firm to bear. The captive-bolt pistol will also be used constantly in our country for stunning cattle, until some marked improvement comes along.

As far as we in Britain are concerned, the humane slaughtering of animals has been with us for over 20 years, and the newness has worn out. Business executives who years ago were its bitterest opponents are today its most fervent advocates, because they feel that having found methods which are good, and make for increased efficiency, they like others to know about it.

There is no sentimentality about it—they look upon it as a business proposition which they once opposed, but which they found later to be worth while and paying dividends.

I know of no one in Britain who would ever wish to repeal the humane slaughtering legislation.

Before I resume my seat, may I be allowed, on a personal note, to thank you for your courtesy and consideration in allowing a stranger thus to address you.

It is for me a great honor. If it is your wish to put some questions to me, I shall be pleased to endeavor to reply to the best of my ability.

Mr. Chairman and gentlemen, I thank you.

Mr. POAGE. Thank you very much, Colonel Anthony. Are there any questions?

If not, we are very much obliged to you for your statement.

Mr. ANTHONY. Thank you, sir.

Mr. POAGE. We will now hear from our colleague, Mr. Dorn of South Carolina.

STATEMENT OF HON. W. J. BRYAN DORN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF SOUTH CAROLINA

Mr. DORN. Mr. Chairman and gentlemen of the committee, I am here this morning to testify in support of H. R. 5820, a bill I introduced to promote the development and use of improved methods for the humane handling, transporting, and slaughtering of livestock and poultry. My bill is middle-of-the-road legislation. It recognizes that a problem exists and recognizes that improvements should be made, but it provides that improvements will be made in the American way—progress based on scientific facts and proven methods.

There is a wide difference of opinion in the world today on what is actually the most humane method of slaughter. As you have probably noticed in your hearings, different expert witnesses have testified for different methods of slaughter. One witness before your committee testified that electrocution is the most humane way. Immediately, several prominent veterinarians took exception to this testimony. Some experts say that concussion pistols are definitely the most humane. And yet, the arms manufacturer who developed the pistol

questions whether his device is ready for commercial use. We have those who believe in sacrificial slaughter, taking the position that the knife is the only proper way to kill. In the face of such conflicting testimony, all from experts, can Congress afford to say, unequivocally, that one method of slaughter is superior to another?

Mr. Chairman, we are all interested in improved methods. It is our American heritage to constantly try to improve, but it is not consistent with our American heritage to force impractical regulations on our people. My bill, if enacted, would authorize the Secretary of Agriculture to engage in scientific studies and research and to furnish his findings to Congress. Also, it calls on the Secretary of Agriculture to encourage the adoption of improved methods by the different industries involved.

Last week, Mr. Chairman, I was talking with the owner of a packing plant in South Carolina. He told me that if Congress passed a law requiring him to install equipment, as suggested in one of the bills, it would cost him in excess of \$30,000. He was fearful that this expenditure would close the doors of his packinghouse permanently. I am sure, Mr. Chairman, this committee will consider all aspects of this legislation and not report favorably any of the force bills, at least, until a thorough study is made. My bill, which is supported by the Department of Agriculture, will provide just such a study. I believe that when such a study has been completed, a more humane method possibly will have been found which will meet the approval of the Congress, the humane societies, the general public, and the industries involved.

Thank you, Mr. Chairman, for the opportunity to appear before this great committee.

Mr. POAGE. Now I believe we have next Mr. Fred Myers, who wants to make a statement in connection with Mr. Anthony's statement.

STATEMENT OF FRED MYERS, EXECUTIVE DIRECTOR, THE HUMANE SOCIETY OF THE UNITED STATES, WASHINGTON, D. C.

Mr. MYERS. Mr. Chairman, I would like to have a few minutes. I have a prepared statement which was submitted on behalf of the Humane Society of the United States, a copy of which I will supply to the stenographer and additional copies of which are available.

But I shall not afflict the committee with a reading of the full statement. I venture to hope that later the committee will find time to read it, but I know that a reading would be boring.

Mr. POAGE. Without objection, we will make your statement a part of the record and then you may proceed to make such statement here as you will.

(The prepared statement of Mr. Myers is as follows:)

STATEMENT OF FRED MYERS, EXECUTIVE DIRECTOR, OF THE HUMANE SOCIETY OF THE UNITED STATES

The Humane Society of the United States, a nonprofit membership corporation with members in every State and Territory of the United States, strongly favors prompt enactment of legislation to compel the use in packinghouses of humane methods of slaughtering animals.

Our support for such legislation is dictated by these facts:

1. In the great majority of American slaughterhouses, animals of all species are now killed with methods that cause extreme and prolonged physical pain.

2. The methods commonly used in slaughter are extremely dangerous and arduous for packing plant workers.

3. Humane methods of slaughter are available.

4. The present common methods of slaughter cause a large economic waste which burdens livestock growers, packing-plant workers, and consumers; humane methods are economically superior.

5. Despite the acknowledged cruelty and economic waste of current common methods of slaughter, it is apparent that the packing industry cannot achieve a reform without the enactment of legislation.

In support of the statements above we offer the following evidence and comment.

1. The cruelty

It probably is not necessary to document the statement that methods of slaughter now used in virtually all American packing plants cause acute and prolonged agony to animals. Packers themselves concede the fact. Mr. E. Y. Lingle, president of the Seitz Packing Co., Inc., St. Joseph, Mo., voiced what all packers know when he said in an address to a section of the American Meat Institute:

"This (slaughtering) is one phase of our business which we have always considered unpleasant, unsafe, costly, and brutal."

Mr. Lingle was telling his fellow packers, in that address, why his company has become one of the very few units of the packing industry that have abandoned the primitive brutality of common methods in favor of more modern and humane techniques.

The General Federation of Women's Clubs has described, concisely and with restraint, what is now commonly inflicted on some 200 million animals each year. A publication of the General Federation says:

"Lambs, sheep, calves, and hogs customarily are first hoisted off the floor by a chain around one hind leg, then are stabbed in the throat (or cut) in such a way that they bleed to death very slowly. Cattle usually are pounded to the floor with a sledge hammer before their throats are cut. Quite commonly a steer must be hit on the head 5 or 6 times—and often many more times—before it falls.

"The chain shackles often cut and tear hide and flesh. Struggling, bellowing and screaming animals often dislocate their own leg joints as they hang from the hoist.

"All this—and much more—occurs while the animals are fully conscious. Inspectors have seen hogs still conscious and trying to swim when dropped into the scalding tank. And calves have been seen still responding to pain stimuli while their heads were being skinned."

I have myself seen a steer hit 21 times on the head with an 8-pound hammer before it became unconscious and ceased struggling. Both horns were shattered by early blows. The stump of one of the bloody horns was torn out of the living head by the first blow that struck it and dangled loosely from a lump of mashed muscle and flesh. One blow mashed the nose of the animal to pulp and another blow crushed the lower jaw.

I have watched the dressing-out of many animals on which the hammer has been used and have observed that often the skull is fractured to the point of being pulverized.

In many plants, for many animals, not even the hammer is used. There is no attempt to stun or immobilize cattle before they are yanked off the floor by a chain around one hind ankle, to hang in moaning agony until their throats are cut. I have stood for long periods at distances of 2 or 3 feet from half-ton steers so suspended and watched their suffering reactions.

When a thousand-pound steer or fifteen-hundred pound bull is hoisted in that way, the strain on muscle, tendon, and bone is tremendous. The whole of the great weight hangs from one ankle. The animal swings and struggles. I have often seen the chain shackle bite into the flesh of the ankle until blood streamed down the leg. The tongue comes far out of the gasping mouth. The eyeballs protrude startingly.

It is often found, in the dressing-out, that the weight and struggles of the animal, while hanging on the hoist, have dislocated ankle, knee, and shoulder joints.

I have seen animals more or less regularly hang on the hoist for from 3 to 5 minutes while awaiting the knife that ultimately cut their conscious throats.

Hogs, lambs, sheep, and calves also are commonly hoisted while entirely conscious and their throats stuck or eut while they are fully sensible to pain. Death does not come quickly or easily.

Edward R. Swem, editor of the *National Provisioner*, leading magazine of the packing industry, has written (the *National Provisioner*, October 4, 1952) of how hogs are "chivvied up a ramp * * * hoisted kicking and twisting, to arrive at the second, third, or fourth level excited and exhausted, with a spread hind and damaged hams." Mr. Swem speaks, also, of "the shackling pen with its dirt, danger, employee irritation and uneven work flow."

The Animal Husbandry Department of the University of Minnesota found, in a study conducted in 1954-55, that "the common packing plant practice of shackling hogs" is causing damage to 97 percent of the shackled hams and that the average loss in meat (passed back, of course, to farmers or passed on to consumers) is \$1.50 per animal (cf. *Farm Journal and Country Gentleman*, October 1955).

It is self-evident that methods of slaughter that almost without exception cause "a spread hind and damaged hams" are violently painful to the animals.

2. Labor conditions

The proposed legislation would be justified as a protection for packing plant workers even if no consideration were to be given to the cruelty to animals.

It is a notorious fact that the accident rate in the packing industry is substantially higher than that for industry as a whole. In 1955, for example, all general manufacturing had an accident rate of 12.1 accidents per million man-hours. But the meat industry had a rate of 21.3. And one of the points of very highest accident rate within the meat industry is in handling of animals at the point of slaughter—in shackling pens and knocking pens.

The president of the Seitz Packing Co. (E. Y. Lingle, cited above) has said that when the current common methods are used "cattle knocking is an unsafe job because when a man swings a 5-pound hammer over his head and misses his object or makes a glancing blow—it produces a great strain on the man." Mr. Lingle also has said that the job of knocking cattle with a hammer "is one of the most difficult jobs in the plant to keep filled."

Packers experience the same difficulty, in greater degree, in keeping men in hog shackling pens. All packers find that as soon as a man gains sufficient seniority he "posts out" of the shackling job, even to jobs at lower wage rates.

The high labor turnover at these points in packing houses is due both to the danger of injury and the dislike of most men for the method of handling animals.

All of the variety of humane methods of slaughter that are available have the effect of improving working conditions and reducing the accident rate materially.

3. Better methods are available

The cruelties now inflicted on animals in most packing plants, and the hazards to which workers are exposed, are unnecessary by any criterion. Humane methods of killing animals are available and they offer important economic advantages and improve working conditions.

These statements have been conclusively proved true by extensive practical experience in packing plants.

Two of the largest pork packers in America, for example, are humanely anesthetizing hogs before slaughter. One of these progressive companies is George A. Hormel & Co. The other is the Kingan division of Hygrade Food Products Corp. In two plants, at Austin, Minn., and Fremont, Nebr., the Hormel Co. kills about 20,000 hogs a day. The Kingan plant, at Indianapolis, Ind., kills approximately 8,000 hogs daily on a single shift.

All of these plants are using carbon dioxide to anesthetize hogs before they are slaughtered. The hogs ride on a moving belt into a tunnel filled with the gas and they go quickly and quietly to sleep as they ride. They are slaughtered while unconscious.

The Hormel Co. has been using this method since 1952. The Kingan plant installed its carbon dioxide equipment last November. Both companies find their humane method superior in every respect to the more brutal methods formerly used. Economic factors will be discussed below but it is relevant to note here that carbon dioxide equipment is within the financial capabilities of even the very smallest packers that would be affected by the proposed legislation. Equipment that will handle up to 60 hogs per hour can be had for only \$3,500—hardly more than the price of a small delivery truck.

It is clear that no further research or study is needed to find a means of ending the cruelty of current common methods of slaughtering hogs. The research is done; the experimental period is past.

Carbon dioxide also can be used to anesthetize other species of animals. L. W. Murphy, spokesman for George A. Hormel & Co., has said that "we are sure" that the technique being used on hogs is applicable to calves, lambs, and sheep. It is equally certainly usable for cattle. Carbon dioxide already is being routinely used by C. A. Swanson & Sons, a subsidiary of the Campbell Soup Co., to anesthetize turkeys before slaughter.

But other equally practical and economical methods of slaughtering animals humanely are also available to packers. And all of these additional methods, like carbon dioxide anesthetization, have been proved in actual commercial use in profitable packing plants.

Several American packing plants and many hundreds of plants abroad, for example, have long been using the captive-bolt pistol to stun animals, making them instantaneously insensible to pain, before slaughter. The captive-bolt pistol is a simple instrument, in appearance much like an ordinary pistol. Instead of discharging a free bullet, however, the captive-bolt pistol impels the end of a steel bolt, which slides up and down in the barrel of the pistol, into the skull of an animal.

Unlike the hammer, the captive-bolt pistol requires little skill in the workman and it is virtually foolproof. Whereas an average of approximately three blows is required to fell a steer with a hammer, the captive-bolt pistol almost infallibly drops such animals, instantaneously unconscious, with one shot.

Oscar Mayer & Co., one of the larger and more profitable American packing plants, has for years been using the captive-bolt pistol. The president of Seitz Packing Co. has said:

"The captive-bolt pistol is so easy to use and so effective that we have had no desire to go back to the old hammer method. Our results are better, our operations more efficient, our end product is improved—and we're slaughtering cattle in a much more humane fashion."

At least a dozen other packers have had the same experience. They have proved, under commercial conditions, that the captive-bolt pistol is humane and practical.

The captive-bolt pistol can be and often is used on sheep, lambs, and calves as well as beef animals. It prevents all of the usual suffering of the slaughtering process.

Still other methods are available.

The Remington Arms Co. has developed, and now is offering to all packers, a stunning instrument that is similar in basic principle to the captive-bolt pistol. No bolt enters the animal's skull, however. Unconsciousness is caused by impact of a mushroom-shaped hammer that is impelled by firing of a small cartridge. The Remington Co. has tested its instrument in packing plants all over America on tens of thousands of animals of all species. It already is being routinely used by some packers.

Other patented stunning devices also are available. Some of these have been in use abroad for many years. The Consolidated Dressed Beef Co., Philadelphia, for example, uses the Schermer stunner, an instrument made in Germany. The company finds the Schermer instrument entirely satisfactory in practical packing plant operation.

To prevent suffering in poultry, some packers use an electric knife." The electric knife makes a bird instantaneously insensible to pain.

The outstanding fact about all of this variety of humane methods that are available is that every one of them already is in routine and profitable use in at least a few American packing plants and in many more packinghouses abroad.

It was suggested last year to the Senate Agriculture Committee, and it has been suggested this year to the House of Representatives, that the packing industry is willing to adopt humane methods of slaughtering animals but needs more time—probably many years—to "study" the matter. The Humane Society of the United States submits that such suggestions are nonsense—nonsense in the precise dictionary meaning of the word.

No special "study" committee or commission is needed to determine that two of the largest pork packers and one of the largest poultry slaughterers in America have used carbon dioxide on many millions of animals and birds and have proved that the method is practical as well as humane. No study is needed to reveal that some of the most efficient and profitable packing plants in America

have used the captive-bolt pistol or one of the patented stunning instruments on more millions of animals and have proved them practical and humane.

The packers of the whole of Great Britain, Denmark, Norway, Sweden, Finland, the Netherlands, New Zealand, and sections of Germany, France, and Austria have been operating under compulsory humane slaughter laws for many years. No research or study is needed to reveal that the packing industries of those countries have found practical means of eliminating cruelty.

4. ECONOMIC FACTORS

There is no valid economic objection to the proposed legislation. It offers, indeed, economic benefits to livestock growers, to consumers, and to the packing industry.

Current common methods of slaughter are inefficient and costly. Humane methods of slaughter would improve labor productivity and eliminate waste due to bruising and maiming of animals.

Consider the significance of the University of Minnesota study cited above. The university found that in the plants where the study was conducted, the shackles used on hogs caused damage to 97 percent of all shackled hams and that the monetary loss per hog was \$1.50. The university figures were derived from only one plant, but it was one of the better plants of America and it is reasonable to suppose that the average would be applicable within narrow limits to all slaughtering of the shackle-hoist-stick variety.

Since some 90 million hogs are slaughtered annually in America, the University of Minnesota study indicates that our Nation may be paying a bill of about \$140 million annually for our cruelty to hogs.

The burden of that waste probably falls principally on farmers, in the form of depressed prices for livestock.

To our knowledge, no study similar to the University of Minnesota investigation of injury to hogs has been conducted to determine what economic waste is occurring among cattle and other species. It is obvious, however, that if a 250-pound hog is seriously injured and damaged by being shackled and hoisted, a half-ton steer or 1,500-pound bull will be even more severely injured and damaged because of its greater weight. Such damage to meat can be entirely eliminated by use of humane methods of slaughter.

It is an established fact that cattle stunned with a captive bolt pistol suffer fewer bruises than cattle on which a hammer is used. The cattle bleed more thoroughly than animals that are frightened and subjected to prolonged physical pain, thus improving the market quality of the meat.

When carbon dioxide is used on hogs, Hormel has reported, 0.3 pound more blood is obtained from each animal than when the primitive shackling-hoisting method was used. This makes better meat and tends to support prices paid to livestock producers.

The Seitz Packing Co. offers this evidence about labor productivity when a captive-bolt pistol is used:

"We have made time studies of the slaughtering of several hundred cattle and we find that we can load the gun and shoot 1 cattle every 7 seconds. On the basis of 1 cattle every 10 seconds, 1 man can slaughter 360 cattle per hour and he can continue to do this all day long because his work is much easier than when he used the hammer."

Hormel has reported that it has achieved a labor economy, from the first day of its use of carbon dioxide.

Some packers have objected to the proposed legislation because, they say, initiation of humane methods of slaughter would require a ruinous investment of capital. Such objections are unfounded in fact.

A captive-bolt pistol costs only \$120. The time study conducted by the Seitz Co., cited above, shows that even a quite large slaughtering plant would need to invest in only 2 or 3 captive-bolt pistols to comply fully with the proposed legislation in its slaughter of cattle, sheep, lambs, and calves. As an alternative, a plant may use the Remington stunner or the Schermer stunner. The Remington instrument sells for just over \$200, the Schermer instrument for less.

The cost of installing carbon-dioxide equipment varies, depending on the floor plan and construction details of plants in which it is installed. It is said that one of the Hormel installations cost above \$200,000, but this included the cost of remodeling a large building. The carbon-dioxide unit itself, with a capacity of 10,000 hogs per day, is priced by its manufacturer at about \$65,000. As was mentioned above, the same manufacturer is offering a unit that will anesthetize

60 hogs per hour for approximately \$3,500. The capital cost of these units, spread over the total number of hogs that the units will process, is only a very small fraction of a cent per animal.

The cost of operating a carbon dioxide anesthetizing unit is so small as to be negligible. The carbon dioxide itself costs less than one-fiftieth of a cent per animal. The only other operating costs are for electric power and for routine maintenance of the moving conveyors. They have proved in hard usage to be virtually trouble free.

The cost of using a captive-bolt pistol or one of the patented stunners is only the cost of the single .22-caliber cartridge that is used for each animal. These average to about 2.2 cents each. Since the packer invests more than \$200 in every beef animal before it is ready for the consumer, the 2 cents that humane slaughter might cost is not a significant economic factor.

A few packers have objected to use of the captive-bolt pistol on the ground that the bolt sometimes causes damage to the brains of animals, making the brains unsalable as human food. The argument is exceedingly weak. A cattle brain usually is worth less than 5 cents to the packer, even when it can be sold. But less than 10 percent of the brain available can be sold as human food. There simply is no market for the brain produced. Relatively few packers even attempt to save the brain for the food market. The alleged waste of brain is, therefore, not important. In any event, the Remington stunner does not damage the brain and may be used instead of the captive-bolt pistol.

Finally, it is important to reemphasize that all of the costs of these humane methods of slaughter are not genuine costs in an accounting sense—they are, instead, investments that return a net profit.

This profit is not a mere theory or a rationalization by sentimental people who abhor cruelty. It is an actual dollars-and-cents profit that has been proved to exist by the experience of successful, dollarwise packingplant managements. It is notable that George A. Hormel & Co. was last year one of the most profitable enterprises in the whole packing industry. The Hormel Co. has itself said that it developed the carbon-dioxide technique not out of humane motives but to make a profit. Every plant in America that uses one of the humane methods of slaughtering animals certifies that these methods are efficient and profitable.

5. Legislation is necessary

It is not possible for the packing industry to end the cruelty of current common slaughter methods without the help of compulsory legislation. This is no reflection on the men who manage the industry; it is a fact that results from the huge size and complexity of the industry and from some of the weaknesses of human nature.

Some packers have contended that the industry is making progress toward adoption of humane methods of slaughter and they point proudly to the very few companies that have instituted humane methods. But the very paucity of plants using humane methods emphasizes that, in fact, compulsory legislation is needed.

The American Meat Institute established a committee to study slaughter methods in 1929—nearly 30 years ago. The captive-bolt pistol has been available, and well known to packers, for almost that length of time. The carbon-dioxide method of making animals insensible to pain has been in use for 6 years. The Schermer stunner has been used all over Europe for 25 years. Electric stunning has been widely used throughout the world for about 20 years (it is regularly used by two very small packers in America).

But, despite the fact that the American Meat Institute says that it has been studying slaughter methods since 1929, some packers still ask the Congress to grant them much more time to study the proved methods that they refuse to adopt.

The parallel with the situation in 1905–6, when the Congress enacted a law compelling packing plants to maintain decent standards of sanitation, is striking. Most packers contended, at that time, that the legislation would be ruinous. Their fears were unfounded. So it will be with humane slaughter legislation: humane methods of slaughter will be found, in practice, to be beneficial to the industry, not harmful.

Summary

The Humane Society of the United States urges the Congress to enact compulsory humane slaughter legislation, fundamentally based on H. R. 176, H. R. 2088, H. R. 3029, or the Senate bill, S. 1497.

Such legislation will be economically beneficial to the Nation and will be of advantage to packinghouse workers.

Were these benefits not a fact, however, still the legislation should be enacted because a great and fundamental issue of morality is involved.

It is basic in our American moral code and in our law that cruelty to animals is impermissible. Cruelty is named as a sin by every one of the major religions of our people. The existence among us of a cruelty to hundreds of millions yearly, with the implied blessing of law, is inconsistent with our desire to give moral leadership and direction to a troubled world.

The cruelty cannot be abolished except by law. One might as logically suggest repeal of all existing anticruelty laws as to argue that one of the most repugnant and gargantuan cruelties of the Nation will be ended voluntarily.

The whole of the American public will applaud the Congress for enactment of the proposed legislation.

Mr. MYERS. I shall be really brief. I would like to devote myself to comment upon some testimony which has been offered earlier, rather than merely offering additional positive testimony which I have submitted in writing.

The point to which I would first like to address myself and most emphatically address myself, is the recommendations that much greater time be devoted to study of the question that is before your committee.

I have devoted the last 5 or 6 years of my life to what I think is a fairly expensive study of this matter. I have visited and spent long and sad days in many dozens of slaughter plants.

I have sat in the Library of Congress and other places of research for additional long days studying the economics of the packing industry and of the measures that would be involved if these recommendations were adopted and enacted.

I have done everything that I could to find out about what has already been studied and learned, and Mr. Chairman and gentlemen of the committee, with that background of effort on my part, I am prepared to assert that there is absolutely no need for a further prolonged period of study of the methods of slaughter, and even though I give respect to Dr. Clarkson who spoke this morning and acknowledged that he is a greater scientist than I, who am no scientist, still I venture to dispute the assertion that there is great disagreement about whether the methods about which you have heard are humane, and I venture to dispute the statement that years, perhaps, of study are needed in order to determine what can be done.

The best evidence that they study has already been done and perfected is in the fact that the many methods of slaughtering animals humanely already are in successful use in successful and profitable packinghouses.

They are already studied far beyond the probable resources of the Department of Agriculture by the great resources of private industry seeking profit and efficiency.

And when George A. Hormel & Co. first and then the high-grade food products companies second and then packers in numbers of countries in Europe all certify that the use of carbon dioxide is efficient, is rapid, is economical, and when eminent medical authorities who have used it on thousands and thousands of human beings certify that it is humane, I really do not understand why a Government department should then join any other interest in saying that this should be subjected to great and prolonged study.

I would like to call the attention of the committee in relevance to this matter of further study to a book which is entitled "Carbon Dioxide Therapy." It is written by Dr. L. J. Meduna. He is professor of psychiatry at the University of Illinois, and he reports in his book published in 1951 his experience in the use of carbon dioxide on many thousands of human patients in psychiatric treatment, and he certifies completely that the patients suffer nothing, they undergo repeated treatment willingly.

There is no untoward effect at all, and I submit that this, the result of a quarter of a century of study by one of the most eminent medical men of the country is sufficient all by itself.

It need not rest entirely on one man's testimony, however. There are a great many other medical men who have testified that carbon dioxide is humane.

In passing I might say that I have myself stood within 2 feet of hogs, hundreds and hundreds of hogs coming out of a carbon dioxide tunnel, and my sole objective in standing there and watching was to watch for reflexes to pain stimuli, the eyeballs, the minute movements which would betray any reflex, any feeling when the knife is plunged into the throat, and I, whose dedication vocationally and avocationally is to this humane work certify to you, having stood and watched it at close range for this very purpose, that there is no slightest sign that any animal going through a carbon dioxide tunnel suffers any distress or any subsequent pain.

You have heard testimony about the use of captive-bolt pistol, the Remington stunner, the Schermer stunner, the electric shock technique, and I am not going to repeat it except just to emphasize that all of these things have been used now for many years. They are certified by successful packers to be desirable and they are certified by humane societies of the entire world to be humane, and I do not believe that the committee should give too much attention to anyone who now at this very late date contends that they need further study.

I would like to make on more point, Mr. Chairman, and then I will relinquish the floor. That is on the economics of the matter.

I am aware as you and the other members of the Agriculture Committee certainly must be aware, that an effort has been made by interested parties to alarm farmers and livestock producers about the possible economic effects of enactment of a compulsory humane slaughter law.

Some associations of livestock producers have in fact been induced to oppose the enactment of a humane slaughter law by that consideration.

It must be by that consideration because certainly as the gentleman who was here this morning made clear, no man who spends his life with the animals, raising them, would wish to see them slaughtered by an inhumane method.

The only possible reason that the growers of livestock would oppose the enactment of this law would be fear that there would be ruinous economic effects.

As to that, again I call your attention with emphasis to the fact that in our own country quite a number, although it is still a relatively small number but objectively quite a number of very successful packinghouses are using these methods that we advocate and find them

profitable, and it is quite notable, I think, worthy of emphatic note, that George A. Hormel & Co., which has now installed or has virtually installed the use of carbon dioxide in its third and last plant, last year was reported to be the most profitable of all American packing companies.

I think that it is more than accidental coincidence that the most profitable firm is the one that has gone furthest toward the use of humane methods of killing animals.

Such companies as Oscar Mayer and the Great Falls Meat Co. of Great Falls, Minn., and the Seitz Co. in St. Joseph, Mo., which is building a new and modern and successful plant and many others are using the captive-bolt pistol, have used it for years, find that it is profitable, and as I have reported in the written statement that I submitted to you, they have repeatedly told their colleagues and peers of the American Meat Institute and the other packinghouse associations that they think all the other packers could profitably adopt the same methods.

In conclusion I would like to say a very personal word about the kosher problem. I not only am not anti-Semitic, I am one who very vigorously detests the vileness which in human nature sometimes produces anti-Semitism.

I would not for one instant advocate anything which was designed to impair the rights nor injure the sensibilities of any religious group. I had quite a bit of part in conference which led to the language presented on the exemption section of the bill introduced by Representative Dawson, H. R. 3029, and the bill introduced in the Senate this year by Senator Humphrey, S. 1497, from which was derived still another House bill.

Those of you who know anything of the political history and philosophy of Senator Humphrey will know that it is not even to be conceived that he would join in introducing a bill which he thought cast any reflection upon any religion.

All of us though, I think, know that it is quite impossible as a matter of syntax and semantics to read in Representative Dawson's bill or Senator Humphrey's bill any reflection, implicit or subtle, upon the Jewish method of slaughter.

The language is that it is an approved method of slaughter, and if the Congress of the United States enacts the law which says that the Jewish method of slaughter or that of any other religion is by the Congress of the United States deemed to be an approved method of slaughter, I do not see how that could be construed as reflecting upon anyone.

Mr. Chairman, I think that the question that you asked Mr. Pfeffer was sensitively conceived and well put.

Unless the position were to be that it is impossible for the United States Government to enact any kind of humane slaughter bill, then a bill such as that presented by Representative Dawson and Senator Humphrey must be acceptable.

I conclude by saying that our society urges the enactment of compulsory legislation of the type exemplified by H. R. 176, 2088, 3029, 6422, and 6509, or the companion Senate bill, S. 1497.

We would deplore the enactment of a bill which would merely prolong the problem that we are attempting after these many years to solve.

I thank you for allowing me so much time.

Mr. POAGE. We are very much obliged to you, Mr. Myers. I think it would be in order, in view of what you have said, I think I should call attention to the fact that members of this committee have visited both the conventional plants and plants like Seitz and Hormel that are using these other methods.

A number of the members of this committee have actually stood in the place of the killer there and have actually operated some of these modern methods themselves and we have seen these things.

Mr. MYERS. Mr. Poage, I was aware of that, and had I not been so intent on saving time, I had intended to say that many thousands of people appreciate deeply the sense of duty which led you and your committee to make that trip last October.

Mr. ALBERT. Mr. Chairman, may I say to Mr. Myers that I think he has made a contribution to the committee in answering or at least attempting to answer the statement made by representatives of the Department of Agriculture, particularly Dr. Clarkson, that research was needed, and much fundamental knowledge is lacking upon which to base an opinion of the acceptability of one method over another from the standpoint of humaneness and that research was needed in connection with the matter of what pain might be suffered.

I don't believe it to be anti-intellectual to conclude that, since a child cries when he suffers pain, a pig that squeals may also be suffering pain; and to conclude further that if a form of gas will render a human being insensible to pain it will also render an animal insensible to pain. That would be my reaction. I might be wrong.

Mr. MYERS. Your reaction has scientific justification, if I may take 30 seconds. I said just in passing that the humane societies of the entire world certify that these methods that are under discussion are humane. That was not a statement that cannot be documented.

For example, having read many books of this kind and many little magazine excerpts, I concluded that I knew something about carbon dioxide. I didn't want to afflict you with the details on other matters.

But on other matters, Dr. Clarkson did say something about the electroencephalographicness as a part of this study.

The humane societies have already done that. I could present to you a very detailed study with the aid of the electroencephalograph of the effects of electric stunning, so that we could determine whether it was actually unconsciousness, insensibility to pain, or whether it was merely a form of paralysis.

The humane societies have been studying this for decades, and many eminent authorities have taken part in these studies incidently, and it is a very late date for the Department of Agriculture or any self-interested group to recommend that we begin to study.

Mr. ALBERT. You think then that there is no question but that it is a scientific fact these methods of killing or stunning animals are more humane than the normal methods used in the older types of slaughterhouses?

Mr. MYERS. If I had the slightest doubt, I would be out trying to find out. I am quite satisfied.

Thank you, sir.

Mr. POAGE. Thank you very much.

Now before we proceed any further, I want to introduce to our visitors here and our guests the chairman of the Agriculture Committee who went with the subcommittee visiting some of the packing plants this summer.

Mr. Cooley, Harold Cooley, of North Carolina, has just come in. He is the chairman of the committee and has already expressed interest in this matter. We are delighted to have you with us, Mr. Chairman.

Mr. COOLEY. Thank you very much, Mr. Poage.

Mr. POAGE. I think there are about four more witnesses in favor of this bill, and I wondered if we might not hear them first and then conclude the argument of the proponents with their picture, and then take up the opponents of the bill. That would seem to me to possibly be a more orderly procedure.

If there isn't any objection I am going to call Mrs. Genevieve Oslund.

Mr. MYERS. Mr. Chairman, it is not my turn but Mrs. Oslund, when she left for lunch, told me that she might not be able to get back immediately, but she has left her statement.

Mr. POAGE. She has left her statement which we will without objection make a part of the record.

Mr. MYERS. I hope the committee understands she is speaking for the General Federation of Women's Clubs which has an affiliated membership of 11 million women.

Mr. POAGE. We do understand and we understand that the procedure in our program is such that it makes it impossible for all of the witnesses to be with us at the moment.

Mr. MYERS. Isn't it lucky they are not all here?

Mr. POAGE. We might be here for several more days if they were.

(The prepared statement of Mrs. R. I. C. Prout, president, as submitted by Mrs. Genevieve Oslund is as follows:)

STATEMENT BY MRS. R. I. C. PROUT, PRESIDENT OF THE GENERAL FEDERATION OF WOMEN'S CLUBS

The General Federation of Women's Clubs is an organization with an active membership of 875,000 women and an associate membership of 4½ million in the United States.

The General Federation of Women's Clubs endorsed objectives of slaughter reform at a national convention in May 1956, as follows:

"Whereas studies reveal instances of cruel methods in the handling and commercial slaughter of animals, although more humane procedures have been developed and are available and practicable: Therefore

"Resolved, That the General Federation of Women's Clubs endorses the objectives of slaughter reform and asks club members to investigate as to conditions in their own communities and to require humane practices where needed."

You will note that this resolution asked the club members to investigate conditions in their local communities and to work towards humane practices locally.

Women are inherently opposed to cruelty. And since it has come to their attention that some slaughterhouses use extremely cruel methods of slaughter, and that others use methods which make the animals unconscious or insensible to pain, the General Federation of Women's Clubs urges Federal legislation to require all slaughterhouses to use humane methods.

The following is information which we sent to our members as a guide in their study and research as to local slaughter conditions, and to assist them in their efforts to secure humane methods in the slaughter of animals.

The General Federation of Women's Clubs urgently requests this Congress to pass a bill that will make mandatory humane slaughter of animals which are to be used for human consumption.

THE GENERAL FEDERATION OF WOMEN'S CLUBS

The 1956 convention of the General Federation of Women's Clubs adopted this resolution:

"Whereas studies reveal instances of cruel methods in the handling and commercial slaughter of animals, although more humane procedures have been developed and are practiced: Therefore

Resolved, That the General Federation of Women's Clubs endorses the objective of slaughter reform and asks club members to investigate as to conditions in their own communities and to require humane practices where needed."

A MORAL ISSUE

Speaking in terms of morality, our Nation long ago outlawed cruelty to animals. Every one of the major religions of our people names cruelty a sin. Every State of the Union, the Federal Government, and almost every county, city and village have declared in a multitude of laws that cruelty to animals is impermissible. All thoughtful persons recognizes that cruelty is an evil that should be eradicated from our society, not merely for the sake of animals but for our own good. We know that cruelty, whether to animals or to men, causes in the perpetrator a moral and cultural erosion that is harmful to the whole of society.

Cruelty to animals in our slaughterhouses has been thus far permitted only because, it is argued, cruelty is cheaper than decency. The immorality of the argument is obvious.

Given the facts that are contained in this folder, the obligation of every American is made clear by a line from John Ruskin: "He who is not actively kind, is cruel."

The cruelties of our slaughterhouses will end whenever we actively demand it.

THE SLAUGHTERHOUSE CRUELTY

There will be no detailed description, in this leaflet, of the crude cruelties that are the almost universal routine in the killing rooms of American slaughterhouses. Descriptions can be found in the transcript of public Senate hearings on this matter, held May 9-10, 1956. The transcript can be obtained from the Senate Committee on Agriculture and Forestry.

Suffice it to say, here, that lambs, sheep, calves, and hogs customarily are first hoisted off the floor by a chain around one hind leg, then are stabbed in the throat (or cut) in such a way that they bleed to death very slowly. Cattle usually are pounded to the floor with a sledgehammer before their throats are cut. Quite commonly a steer must be hit on the head 5 or 6 times—and often many more times—before it falls.

The chain shackles often cut and tear hide and flesh. Struggling, bellowing, and screaming animals often dislocate their own leg joints as they hang from the hoist.

All this—and much more—occurs while the animals are fully conscious. Inspectors have seen hogs still conscious and trying to swim when dropped into the scalding tank. And calves have been seen still responding to pain stimuli while their heads were being skinned.

These things are happening every day in the year.

THERE ARE BETTER WAYS

The cruelties of the slaughterhouse killing rooms are not necessary. They are not even economical.

The truth of these statements is proved by the fact that some packing companies have adopted humane methods and certify that these methods are profitable.

George A. Hormel & Co., for example, for 6 years has been using carbon dioxide (the gaseous state of dry ice) to anesthetize hogs before slaughter. The hogs ride on a moving belt into a trough of the invisible and odorless gas, they go peacefully to sleep as they ride, and they never regain consciousness. A Hormel executive told a Senate committee that this humane technique has actually decreased Hormel's labor costs.

The hearings further revealed that Oscar Mayer & Co., another big packer, has for years been using the humane captive-bolt pistol to make cattle instantly unconscious before they are shackled, hoisted, or cut. The captive-bolt pistol

also is used in about a dozen other plants. The pistol entirely eliminates the brutalities of the sledgehammer.

The tiny Paulus Meat Co., at Cedarburg, Wis., uses electricity to stun hogs into instant unconsciousness before a hand is laid on them. Other small plants kill animals instantly and painlessly with a rifle bullet in the brain.

C. A. Swanson & Sons, a subsidiary of the Campbell Soup Co., uses carbon dioxide to anesthetize turkeys before slaughter.

All of the methods mentioned are in very wide use in Europe, where many countries already have humane-slaughter laws.

The proof is indisputable that humane methods of killing animals and fowl are available and are mechanically and economically practical. The packing industry itself has provided the proof.

IS A LAW NEEDED?

It is clear that the packing industry will not end its cruelty to animals until it is compelled to do so by law. It would hardly be expected that so vast an industry, with thousands of independently managed units, would achieve a voluntary reform.

Laws requiring humane methods of killing meat animals now are in force in England, Scotland, Northern Ireland, Denmark, Norway, Sweden, Finland, the Netherlands, New Zealand, and sections of Germany, France, and Austria. In none of those countries, however, was humane slaughter achieved without law.

For the same reasons that a Federal law was required to induce packers to adopt and maintain adequate sanitary standards, law will be required to achieve decent humaneness to animals.

The very few packers that have adopted humane methods emphasizes the fact that the majority of packers will not end cruelty voluntarily.

WHAT WOMEN CAN DO

The American public—and particularly American women—can stop the cruelty of slaughterhouses. Public opinion can move the greatest corporations and inspire legislators to action.

Women's clubs, and their members, can act in the following ways:

1. First, get the facts. Make arrangements with your local slaughterhouse for a visit by clubwomen. See the killing done. Learn precisely what methods are used by the big national packers. Read the testimony of packers, Government officials, and humane society experts in the hearings of the Committee on Agriculture and Forestry in the Senate of May 1956. Give the superintendent of the slaughterhouse a copy of the GFWC resolution.

2. Discuss the facts in a club meeting. Read the resolution adopted by the GFWC at the annual convention in Kansas City, 1956.

3. Information about the proposed visit to the slaughterhouse, and its purpose, together with a copy of the GFWC resolution, should be given to your local papers.

4. Letters supporting legislation for humane slaughter, and enclosing copies of the GFWC resolution should go to the Secretary of Agriculture, to the chairmen of the Agriculture Committees of the Senate and the House, to the United States Senators and Representatives from your own State and to newspapers.

5. Individual women can help by insisting that only meat from humanely killed animals be made available in their communities and by making known the urgency of legislation to provide for humane slaughter.

All United States Senators can be addressed at the Senate Office Building, and United States Representatives at the House Office Building, in Washington. If you do not know the names of your own Senators and Representative, you can get them from your local newspaper or your city or town hall.

The best way to make sure you know the facts is to visit a slaughterhouse and see what is done there. For club committees and individual women who plan to visit killing rooms the scorecard on the back page of this folder will be useful. In a humanely operated plant, it should be possible to check every question, except number 1, in the "No" column.

If you would like to receive a copy of humane slaughter bills coming before the 85th Congress, send a request to your congressman. Additional copies of this folder can be obtained from general federation headquarters.

CHECKLIST FOR SLAUGHTERHOUSE INSPECTION

	Yes	No
1. Are food and water provided in stock pens?-----	☐	☐
2. Are clubs or canes used to drive animals to killing or shackling pens?-----	☐	☐
3. Do clubs or prods have spiked points?-----	☐	☐
4. Are clubs or prods used on unusually tender parts of animals? (Use in the rectum is common.)-----	☐	☐
5. Are animals hosed with water? (This is frequently done to make electric prods more painful.)-----	☐	☐
6. When hogs are being shackled for hoisting, do the shacklers strike animals with the chains and metal hooks?-----	☐	☐
7. Are hogs, lambs, sheep, or calves conscious and sensible to pain when they are shackled, hoisted, and cut or "stuck"?-----	☐	☐
8. Are beef animals cut while conscious and sensible to pain?-----	☐	☐
9. If cattle are being stunned with a hammer, observe the stunning of several animals and then answer this question: Was more than one hammer blow required for any animal?-----	☐	☐
10. Did you observe any handling of animals that caused pain and that you thought unnecessary?-----	☐	☐

NOTE.—Animals may seem unconscious when they are not. Observe closely to determine whether supposedly stunned or anesthetized animals react to pain stimuli. Note the time between shackling of an animal and the point at which it bleeds into unconsciousness. Note whether chains and shackles are causing painful injuries to conscious animals. Find out whether shackling and hoisting is causing fractured leg joints, fractured pelvis, and torn tissues and tendons.

Mr. POAGE. Mr. Liljenquist is next, I believe. You represent the Western Meat Packers and I presume are in opposition to this.

I don't believe Mr. Liljenquist is here either.

Miss Virginia Sargent. We will be glad to hear you, Miss Sargent. Following Miss Sargent we will hear Miss Frances Holway.

STATEMENT OF MISS VIRGINIA W. SARGENT, ANIMAL PROTECTIVE ASSOCIATION

Miss SARGENT. I represent the Animal Protective Association of Washington.

Mr. POAGE. You may be seated or stand just as you like. If you would prefer to stand it is perfectly permissible.

Miss SARGENT. Promotion of humane legislation to protect all classes of abused animal life is an important part of the work of the Animal Protective Association.

We are eager, therefore, to urge, moreover, demand compulsory humane slaughter legislation and its enactment in the shortest possible time, so that at long last we afford some measure of decency to the taking of the innocent lives of millions and millions of innocent four-footed and feathered creatures which the majority of Americans demand for their tables.

Too many of these have been totally indifferent to or ignorant of the barbarous methods employed.

Others, however, both vegetarians—of which I am one—and meat-eaters, have pleaded for years for our professing Christian Nation to adopt the humane methods that most European countries now practice.

The packers, however, with speeded-up modern methods of dressing and marketing carcasses, still plead for more time to "study" better ways of carrying out the most important part of their traffic—taking the lives of the speechless creatures involved.

For some 28 years they have poked along in this. Today only about three major packing plants have humane equipment for even a part of the living, sentient, materiel, with all the rest in all the other plants still dying in terror and pain.

Now through the drastic proddings of such humane organizations as the Humane Society of the United States, the American Humane Association, the Massachusetts SPCA, and others, and the start of the Senate hearings by Senator Hubert Humphrey last session, congressional representatives have investigated and become convinced of the unspeakable methods of killing food creatures in the great United States of America.

We are now most grateful for the introduction of four bills for compulsory humane slaughter to, respectively, Hon. William A. Dawson, for H. R. 3029; to Hon. Martha Griffiths, for H. R. 176; to Hon. George P. Miller, for H. R. 2880; and to Hon. Edgar Hiestand, for H. R. 3049; also for their factual remarks set forth, resulting from the investigations, and for their ardent pleas for mercy for those which cannot speak for themselves.

God will surely bless them for speaking to right the wrongs to so many of His creatures and all others who support theirs and other later merciful measures which may come forth in either legislative body.

On the other hand, we strongly condemn any bill insisting upon "further study" time granted the packers, who have already too well proven their lack of serious consideration and intention, save in a very few cases, to voluntarily mend their cruel ways.

With the bringing into the open by the investigating committee the disgraceful methods of American slaughtering, and several remedies already available or still being tested in the line of really humane slaughter instruments, through the efforts of humane organizations, the time has come for immediate action.

The now enlightened public will no longer condone the commercial greed of the packing industry. It is the most definite Christian obligation (as well as that of God-fearing Jews) of every American citizen, especially those who insist upon feeding upon millions upon millions of God's creatures, to insist also that the victims of their appetites be both humanely transported and killed.

Otherwise, they had better be deprived of flesh foods altogether and forced to become vegetarians. As such they would be both more humane and more healthy, anyhow.

Certainly, the Animal Protective Association will do all in its power to speed the means of obeying our Saviour's command, "Be ye therefore merciful, as your Father also is merciful" (Luke 6:36).

We thank you for Christian consideration of our plea.

Mr. POAGE. Thank you very much, Miss Sargent.

Now we will hear from Mrs. Frances A. Holway.

STATEMENT OF FRANCES A. HOLWAY, WASHINGTON, D. C.

Mrs. HOLWAY. Mr. Chairman and members of the committee, my name is Frances Holway. I am a housewife, a mother, and a grandmother, and I believe I represent thousands of other housewives, mothers, and grandmothers who want their children to be brought up in a moral world.

God, you know, has always been an integral part of our Nation. Our forefathers, when they signed the Declaration of Independence, called upon nature, God, and the Supreme Judge of the world for authority to found a new nation.

This Nation was to be built on the laws of God. There were to be many freedoms. There was to be freedom of enterprise and freedom of religion or there was to be freedom not to partake in enterprise and not to practice any religion.

But none of these freedoms were to be construed as privilege or license to commit immoral acts.

This would be a country of law and order. The weak would be protected and the defenseless would be defended. Actually there are two distinct questions before us now, and perhaps we have been making the mistake of confusing the two.

The first one is purely moral. In an ethical society does anyone have the right to inflict suffering on living flesh or to make a profit by doing so?

The moral answer can only be "No", which means that we must have a public law to prevent it.

To be sure, most of the laws which you enact nowadays are primarily regulations to improve the economy. Seldom do you now face an issue which involves a moral conflict of the law of God, so naturally you may get into thinking of yourselves more as economists than as keepers of the public morale.

But keepers of the public morals you must be none the less when the occasion arises, and the occasion has now arisen.

The second question before us is economic. Assuming that we have done the moral thing, assuming that we have passed compulsory legislation, how then can we best help the packers in the practical problem of changing over to our prescribed methods?

As an adjunct to the compulsory law, I personally would have no objection to House Resolution 5820. Anything that will help an animal would be O. K. with me. In fact, you can double my taxes if you want to, if you can assure that the Department of Agriculture will give proportionate results.

But unfortunately all the taxpayers do not reflect my sentiments. In fact, rumor has it that this Congress is at present a little bit reluctant to give big new appropriations to any department, and this bill is an omnibus bill.

This bill would take in practically every humane problem that we have on the books regarding cattle and pigs, and to do the bill justice, it would take a tremendous appropriation.

Last week I spent 2 hours almost in the Department of Agriculture with Dr. Miller discussing exactly how this thing would work out in practice. I did not want to be for it or against it until I knew exactly how it would work out. They told me that if the appropriation were not large enough to cover this whole wide field, then this consulting committee provided for would decide which items would be given attention.

The consulting committee might, for instance, decide to work just on transportation and ignore slaughtering altogether, so we have absolutely no guaranty that even if you pass 5820 that anything will be done about the slaughtering problem.

Is this compulsory bill by itself, without further study by the Department, fair to the packers, because we humanitarians want to be fair to the packers.

You have had plenty of testimony today, which I won't repeat, that we have good methods already in existence which will increase profits, but maybe we are wrong.

After all, there are only a few houses who have tried them. Maybe the experience of Hormel and the others will prove to be only exceptions. Maybe when more of the industry take up these methods, they will find that in their particular situations these new methods will actually increase their costs.

It could happen. Well, if it does happen, or if there is any possibility of its happening, then the only way we will ever get humane methods in the industry is for the entire industry to adopt the new methods simultaneously.

I could not blame any packer for not risking an increase in operational costs unless all of his competitors were facing the same risks. But if they all faced the same risks, then no one will profit at the expense of the others.

If such a Federal law is passed, I predict that the States will follow it in short order, for public opinion against wanton cruelty is overwhelming. There is hardly a hamlet in the length and breadth of the land that does not punish cruelties either by direct edict or by judicial decision, but so far commercial institutions have remained immune from these laws, on the argument that they could not survive against competitors in other States where restrictions were not imposed.

So you see, gentlemen, we need a Federal law and we need it desperately in order that local laws can be upheld and in order that competition will be fair for everyone in the entire industry.

Of course the switchover will mean plowing back a little of the profits to put in this new equipment. So what? Every other big industry seems to be constantly improving its method, its design, its equipment and putting up reserves or setting aside reserves for that purpose.

Only the meatpackers cling to prehistoric methods.

Aren't they about due for a little modernization?

And of course there will be technical problems.

Again I say, so what? Certainly engineers who broke the sound barrier can work the bugs out of a captive-bolt pistol. It may be indeed that these instruments you have seen today that seem so good at present will not stand up in operation, but if they do not, if there is a compulsory law saying that all meatpackers must use these methods, I will guarantee you or I will make a wager that some of the best engineers in this country will rush in to fill the gap with inventions that they may sell to industry which will perhaps be better than anything we have seen today because that is the American way.

May I read you a little quotation from a letter which the Department of Agriculture sent out last year?

Last year of course it was not for this bill because no one had offered them a big appropriation.

Now they have more appropriations so the story is different, or rather now that we are proposing a bigger appropriation the story is different.

But last year they said:

Progress can best be accomplished by private initiative and individual ingenuity in the traditional American manner.

Personally I think last year they were pretty right. So with everyone working under the same competitive system, competition is bound to find an equilibrium wherein each packer will get approximately the same profits which he is getting now.

It is only in the desultory one by one changeovers that real risks are taken or that some plants may be at a tremendous advantage while others are at a disadvantage. So with the risk cut to a minimum, why should industry resist compulsory simultaneous change?

The answer is obvious. Why should they bother to go through all of this retooling? Why should they bother to eliminate suffering if their profits are going to be just the same after they have done it all?

Why? Because I hope we are still a moral nation, because if we want to go on calling ourselves this Nation under God, we cannot allow any industrial plant, big or little, to profit from the sufferings of God's creatures.

Thank you.

Mr. POAGE. Thank you so much.

Mrs. HOLWAY. May I also file my statement and a little brochure of a letter sent from a United States Government inspector in a slaughterhouse to the National Humane Society, which I think will tell you what the Department of Agriculture could do even now without an appropriation if it had the will and the authority, neither of which I am afraid it has at the present time.

Mr. POAGE. Without objection.

(The documents referred to are as follows:)

STATEMENTS BY MRS. FRANCES A. HOLWAY, WASHINGTON, D. C.

Gentlemen, I am a housewife, a mother, and a grandmother, and I believe I am representing thousands of other housewives, mothers, and grandmothers who want their children brought up in a moral world based on the laws of God.

God has always been an integral part in our national tradition. When our forefathers wrote the Declaration of Independence they spoke of nature's God and called upon the Supreme Judge of the world for authority to found a new nation. There were to be many freedoms: freedom of enterprise, freedom of religion, or freedom to engage in no enterprise or to practice no religion, but none of these freedoms were to be construed as license to commit immoral acts. This would be a country of law and order. The weak would be protected, the defenseless defended.

To be sure, most of the laws you enact nowadays are primarily regulations to improve the economy. Seldom do you now face an issue which involves a moral conflict with the law of God. So, naturally, you may get to thinking of yourselves more in the light of economists than keepers of the public morals. But keepers of the public morals you must be nevertheless when the occasion arises, and the occasion has now arisen.

Actually we have two distinct questions before us now and perhaps we have been making the mistake of confusing the two. The one is purely moral: In an ethical society does anyone have the right to inflict suffering on living flesh or make a profit thereby? The moral answer can only be "No," which means we must have a public law to prevent it.

The second question before us is economic: Assuming we have done the moral thing, assuming we have passed a compulsory bill, then how can we best help the packers in the practical problem of changing over to the prescribed methods?

As an adjunct to the compulsory bill, H. R. 5820 would no doubt be helpful, and I would never be against anything which would help an animal. Personally, I would not mind if you doubled my taxes if you could guarantee results after the

Department of Agriculture makes its studies. But all taxpayers do not share my sentiments and rumor has it that Congress is not now in a mood to make large appropriations. This is an omnibus bill, taking in every phase of the humane handling of meat animals, and to cover this field adequately would take an enormously large appropriation. What if Congress does not make an adequate appropriation?

I spent half of an afternoon at the Department of Agriculture discussing this problem with Dr. Clarkson and Dr. Miller for I could not tell whether I should favor the bill or not until I saw how they planned to implement it. They explained to me that if the appropriation should not be adequate to cover the whole range of subjects the advisory committee would decide which one or two projects would get attention. Therefore, it is entirely possible that all the time and money available may be spent on transportation or handling, and no attention at all given to the problem of slaughter.

Let us ask if a compulsory bill would be fair to the packers, for we humanitarians do want to be fair to them. We think—and quite honestly—that humane methods will decrease their costs. But maybe we are wrong. Maybe the experience of Hormel will prove to be an exception. Maybe when other plants adopt the various humane methods they will find that their costs rise or that there are technical problems we have not anticipated. If this is true, or if there is any possibility it might be true, then we cannot blame any producer for hesitating to take risks and make himself a guinea pig for the industry. Our only hope of achieving progress in that case would be a simultaneous changeover by the entire industry so that all would be taking the same risks and working out the problems together.

Of course the switchover will mean plowing back a little of the profit. So what? Every other big industry seems to be constantly improving its designs, methods, and equipment, and setting up reserves for that purpose. Only the meatpackers are clinging to prehistoric methods. Aren't they about due for a modernization?

And, of course, there will be technical problems. But again I say, so what? Certainly engineers who broke the sound barrier can work the bugs out of a captive-bolt pistol. In fact, once you pass the compulsory bill, once you establish a guaranteed market for humane equipment, I would be willing to wager that inventors will rush in to fill that market with equipment which may be superior to anything we have seen to date. And you won't have to give the Department of Agriculture a big slice of the taxpayer's money to do the developing. In fact, last year, before this idea of giving the Department an appropriation had been suggested, the Department said in a letter, "Progress * * * can best be accomplished by private initiative and individual ingenuity in the traditional American manner." I am still inclined to agree with the Department's attitude at that time.

I, under a compulsory bill, the entire industry changes simultaneously to humane methods, competition is bound to find an equilibrium wherein each packer will get approximately the same profits he is getting now. It is only in the desultory one-by-one changeovers in an experimental stage that real risks are taken, or that some plants may be at a tremendous advantage while others are at a disadvantage.

If we can pass a Federal law, then we may expect that local laws will be more effective. Public opinion against cruelty is overwhelming. There is hardly a hamlet in the length and breadth of the land which does not punish cruelty by edict or judicial decision. But so far commercial institutions have remained immune from these laws on the ground that they could not survive competition against competitors who were not so restricted. So you see, we need a Federal law, and we need it desperately, in order that local laws will be effective and in order that the entire industry will be on fair competitive ground.

With competition and risks minimized, with every chance that the new methods will decrease costs instead of increasing them, with possible large savings in meat and better working conditions for employees, why should the industry object to a compulsory bill?

The answer is obvious. Simple inertia. Things may be better under a new system, but as long as profits are satisfactory now, why go through the bother of changing?

Why? For just one reason: Because if we are to go on calling ourselves "this Nation under God" we cannot allow any industrial plant, big or little, to profit from the sufferings of God's creatures.

I would like to insert into the record for your perusal a letter from a United States Government inspector in a slaughterhouse to the National Humane Society. It will give a very small glimpse of the very large overall problem, and it will also show that the Department of Agriculture could even now—without a further appropriation—stamp out some of the evil if it had the will and the authority.

A LETTER FROM A UNITED STATES GOVERNMENT INSPECTOR IN A SLAUGHTERHOUSE
TO THE NATIONAL HUMANE SOCIETY (AND TO YOU)

This folder presents, without editing of any kind, a letter sent to the National Humane Society by an inspector of the Bureau of Meat Inspection, United States Department of Agriculture. Other Federal inspectors have told the NHS that the cruelties reported are not unusual. Primary purpose of this reprint is to inform local humane societies and law-enforcement officers about cruelties of this type and to help humane officers in their work.

The NATIONAL HUMANE SOCIETY,
733 15th Street NW., Washington, D. C.

DEAR SIRs: One of the most common practices of inhumane treatment to livestock in slaughterhouses is the use of the electric prod pole. (The electric prod pole is a wooden pole about 6 or 8 feet long and has the wires from an electric light socket attached to it and running along the side to the bottom end containing terminals that give the animal the full charge of electricity when touched to them.)

The cattle or calves are first washed with a cold water spray or water hose and then are driven into metal knocking boxes with this pole. Often when the prod is used, the cattle are shocked so badly they are not able to move and fall down, and more cattle are forced over them. On numerous occasions the cattle driver pushes the prod pole up the rectum of these unfortunate animals, and all they can do is bellow.

Another very bad feature or practice is that these knocking boxes were intended originally for 1 or 2 cattle at a time, but most of the time these drivers force 3 or 4 animals into this small compartment. Naturally, the first 1 or 2 in are forced to the floor and the others driven over them. When the prod pole is touched to one, naturally they are all shocked. On one occasion, the third beef jumped up and caught one front foot in the cable to the trap door. The knocker (the knocker is the man who uses the poleax) attempted to amputate the foot with a steel bar that was handy, but was stopped by an inspector at that establishment.

The excessive use of the prod pole is prevalent in all slaughterhouses that I have ever been in. Of course, some are much worse than others. Some drivers seem to get much satisfaction from hearing animals bellowing.

I believe that if an electric prod pole could be, and I believe it can be, regulated to giving a much lesser shock, and if used properly, it would save a lot of bruises on cattle, which is quite a loss to the meatpacker.

On another occasion, witnessed by one of my fellow workers, on driving some calves up the chute from the yard pens, a plant employee used a cane and deliberately put an eye out of a calf which turned back, by jabbing the cane into the eye. Another time this same driver had a large bull, which was quite lame in one hind leg. He put it in one of the holding pens and proceeded to use the electric prod pole on him unmercifully until the poor animal was wild with fright and pain and I protested and made him stop.

I have seen cattle which were knocked or stunned with the hammer and rolled out on the floor and hung up for bleeding after sticking, and the header started to skin out the head while the animal was still alive and was trying to bellow. I have stopped this many times.

When calves are slaughtered, they are driven into a small pen and stunned with a hammer. The calves are not completely stunned sometimes. They are shackled and pulled up to an overhead rail and bled. Sometimes the hind feet are skinned out and cut off while the animal is still alive, and they come out on the floor by a moving chain still kicking. Thank goodness this does not happen too often.

In the slaughter of sheep, the animals are not stunned but are shackled and pulled up to an overhead rail and are bled by sticking a knife through the

jugular vein and left hanging to bleed out. But there are times when they get in a hurry and also skin out the hind legs while the animal is still alive.

On this very day the cattle knocker went out to the yard pens to bring up some cattle and used a piece of water pipe, and was hitting right and left at the cattle and had knocked two of them down before he was stopped. He was given a buggy whip to use on them. He used it unmercifully.

On driving hogs up from the yard pens to the killing floor, the drivers are supposed to use a short-handled stick with a piece or strip or canvas or a piece of fire hose attached, but some drivers use a heavy cane and jab their rectums and twist it. We find many bruises on the inside of the hams from this practice.

Many times live hogs have been dropped into the scalding tanks. Sometimes this happens right after sticking, before they are dead, and I have seen live hogs that have not been stuck deliberately dropped into the scalding tub. Although we condemn any animal found scalded alive, the hog scalders or the fellow that drops them into the tub seems to get quite a kick from all the commotion caused when the live animal hits the scalding water. I have seen hogs that have been scalded and run through the dehairing machine still show signs of life.

We received a shipment of hogs that were very badly jabbed with some sharp instrument, which caused an awful lot of deep bruised parts which had to be trimmed off and condemned, causing quite a loss to the packer. On investigation by the company, it was found that where these hogs were loaded into the railroad car a stick with a sharp spike had been used to prod the animals. We have noted on different occasions that a pitchfork must have been used, as the stick wounds were the same distance apart on each hog. On another occasion a truckload of hogs was destined for a packer. The truck broke down and it took 2 days for repair. Then the driver continued on for another day without feeding or watering the animals. The inspector in charge from this station happened to be there when the hogs arrived, and he said it sure was a pitiful sight.

The handling of downers or cripples at the yards is very cruel. When an animal is down with a broken leg, a back injury, or any other cause, a rope with a slip knot is put around the neck. The animal is then dragged to the cripple cart, then dragged onto the killing floor by several workmen, and then knocked or stunned.

I am not sure if this practice is still going on yet, but we were receiving a carload of horses every week from Canada for slaughter for fox feed. Wild horses and colts were put in the same railroad car, and the colts had their ears and tails chewed off and were badly battered up.

The slaughter of bulls could surely stand lots of improvement. The method of using the hammer to stun them is sickening. As they have a very thick skull and overhanging tufts of hair, they are very hard to stun. I have seen 15 to 20 blows struck on some animals.

The only remedy to the foregoing conditions will be for a humane officer to have free access to the yards and plant at any and all times without having to notify the company first.

The rendering plants could use more supervision, too. I have known of cases where they have bought horses for fox feed and left them tied out in the hot sun for 2 days without water or food before they got around to killing them.

Some of these stories may seem quite wild, but I can back them up and, if need be, I could prove most of them.

Mr. COOLEY. Have you visited the Hormel plant?

Mrs. HOLWAY. No, sir I have not.

Mr. COOLEY. Have you ever seen one of these plants in operation where they use the painless method of killing?

Mrs. HOLWAY. No, sir; I have not. I have been to the Swift plant in Chicago and that is all.

Mr. COOLEY. The Swift plant in Chicago?

Mrs. HOLWAY. Yes.

Mr. COOLEY. That is all.

Mrs. HOLWAY. But I am willing to admit that we may be wrong. Maybe we do not have the answers, but I think we will find them if we make it compulsory so that industry must find them.

Mr. COOLEY. You realize, I am sure, the magnitude of the problem under discussion, because you have slaughtering going on in just about every precinct and county in the whole country?

Mrs. HOLWAY. Yes, sir.

Mr. COOLEY. All slaughtering is not done in slaughterhouses?

Mrs. HOLWAY. Yes, sir.

Mr. COOLEY. Some of it I suppose is just about as painless and as humane as it can be done and in other places I know it is done very cruelly and brutally.

Mrs. HOLWAY. Yes, sir.

Mr. COOLEY. In dealing with the problem we shall have to regard it as on a nationwide basis and realize that you have slaughtering on many of the farms of the country.

Mrs. HOLWAY. That is just what I say, sir, exactly.

Local laws could take care of them if we had a national law. Without a national law they are immune under humane law because of competition. That is their excuse. They say to the local law "We cannot do it because we are competing with these big people."

Mr. COOLEY. You realize also that some of the big packers could probably very easily finance the cost of the modern equipment, whereas it might be difficult for some of the small packers to do so.

Mrs. HOLWAY. Mr. Cooley, this is the richest nation on earth. We are scattering our money like salt all over the globe. Cannot we give a little credit, at least \$5,000 worth of credit, to a small packer if he is indigent and needs it?

Mr. COOLEY. I guess we could do it but I don't know whether or not Congress would do it.

Mrs. HOLWAY. Well, you do many other worthy things and I think any banker would do it too.

Mr. POAGE. Thank you very much. We will now hear from Mr. La Roe, Jr., general counsel for the National Independent Meat Packers Association.

STATEMENT OF WILBUR LA ROE, JR., GENERAL COUNSEL FOR THE NATIONAL INDEPENDENT MEAT PACKERS ASSOCIATION

Mr. LA ROE, JR. My name is Wilbur La Roe, Jr. I am general counsel for the National Independent Meat Packers Association. My address is 743 Investment Building, Washington 5, D. C. Our association represents the so-called independent and smaller meatpackers. The large national packers are not members of our association.

Our association favors anything that can be done within reason to make slaughter more humane. Contrary to the impression that has been given here, we are really working on this matter and encouraging our members to do everything they can to expedite humane slaughter. The factors which stand in the way of faster progress are very real. The most important factor is the fact that the so-called pistols are still in the development stage. I do not want to reflect on any of these pistols but I can say that one of the best-known companies in this country has been conducting experiments, with our cooperation, during the past year without wholly satisfactory results. As a matter of fact, we picked out three locations for them to conduct their experiments and we attended one of the experiments where a serious defect developed because a cartridge stuck in the pistol and there was

a great deal of difficulty in removing it. Later another defect resulted which we hope has been corrected, but we are not sure. We now understand that a foreign pistol is giving very satisfactory results, but it was introduced into this country since the last hearing in this matter before the Senate committee.

In order to continue to encourage this experimenting we have arranged for a demonstration of 4 types of instruments, including the pistols and the CO₂ anesthetizer, by 4 manufacturers of these instruments, at our annual meeting at Chicago which begins on May 11, only 1 month hence. The four companies will have their instruments there and will explain their use.

The question is naturally asked why is it that some packers can use the pistols successfully while others refuse to use them. I believe that one answer to this is that those who do use the pistol have some difficulty with it. We know of one case where a packer had to have several pistols on hand because one was almost continuously out of order, and recently he has switched over to another type which he hopes will be more successful.

There is no doubt in my mind that the pistols will be superior instruments and will result in a better type of slaughter if and when they are fully developed and our members have confidence in them. It is quite possible that one of the pistols now in use will justify itself, and may be doing so today in a few plants. However, gossip spreads rapidly in our industry and the word has passed all through the industry that 1 or 2 of the instruments have had real difficulty, so much so as to require a switch to some other type, and this naturally causes hesitation on the part of some members about radically changing their method of slaughter.

I must confess that it is difficult to get our members to turn to a new method of slaughter when the old method has been so successfully used for many years. I have watched the slaughter of cattle by the ordinary method and I do not know of anything that renders cattle insensible more quickly or more definitely than a blow on the head by a competent workman. Let me add here that the pistol can produce bad results if the man who uses it is not highly skilled. In fact, a slight turn of the animal's head at the wrong moment will cause a very bad result.

There is no doubt in the world that this matter should be pursued diligently and I have no explanation to give for those slaughterers who will not even try the pistol, except that their hesitation may be explained by the experimental nature of this method of slaughter.

The issue before this committee, as I see it, is whether this matter is to be handled through mandatory legislation or whether the Secretary of Agriculture is to be directed to get behind it and push it along. We prefer the latter method, not because we want slow speed, but because we think it unfair to impose penalties before the instruments and techniques have been fully developed.

I have been personally criticized for saying a year ago that if the Congress would give us 1 more year we would do something about this. We have done a lot during the past year. Much water has gone over the dam since the Senate hearing. What might emerge as a very successful instrument has been introduced since that time and a number of our members have successfully taken up the use of the pistol and are using it today, probably with good results.

The slaughter of hogs presents a far more difficult problem. Here the chief difficulty lies in the space that is required for the CO₂ gas chambers. Many small slaughters have such cramped facilities that it would almost bankrupt some of them to rebuild in order to meet this new requirement. We know what Hormel and Kingan have done and we have nothing but good words about it but we are told that it cost them a very large sum of money—far more money than our small members can afford to put up. However, I do not think that the question of money is so important as providing the necessary facilities, especially space, for the use of the CO₂ method. I heard only yesterday that one of the new pistols can be used for the slaughter of hogs as well as for the slaughter of cattle but I have never seen proof of this and I think it is worth investigating because one of the chief obstacles to the humane slaughter of hogs would be cleared away if the hogs could be slaughtered with a pistol, avoiding the extra space required for the CO₂ gas chambers.

Let me repeat that we favor pressure in this matter and we have no kind words for those who are unnecessarily dragging their feet, including some of our own members. All we ask is that a proper foundation be laid before mandatory legislation is adopted. We know Congress well enough to believe that Congress will want to see that the foundation is properly laid. This can be done without stopping the pressure for speed in the direction of humane slaughter and we believe that this pressure could serve the public interest so long as it does not result in hasty action without first laying a right foundation.

For the above reasons we favor the legislation which is sponsored by the Department of Agriculture.

Mr. POAGE. Now we have some 5 or 6 more witnesses.

I think that all the witnesses except Mr. Gill and Mrs. Draper are in opposition?

Mr. JOHNSON. Mr. Chairman, the Farmers Union is in favor.

Mr. POAGE. All right, Mr. Johnson, we will be glad to hear you at this moment if you care to.

My purpose is that when we have completed those who are in favor of the bill, then we will hear the opposition.

STATEMENT OF REUBEN JOHNSON, ASSISTANT COORDINATOR OF LEGISLATIVE SERVICE, NATIONAL FARMERS UNION

Mr. JOHNSON. For the record, Mr. Chairman, I am Reuben Johnson assistant coordinator of legislative services, National Farmers Union. I have a very brief statement and with your permission I would like to present it to you.

Mr. POAGE. Yes, sir.

Mr. JOHNSON. Slaughtering methods of the livestock and poultry industries have long been criticized by many individuals and organizations who feel that more modern and more humane practices should be used.

In the changeover from long-used methods of slaughtering to presently tried, proven, and more humane processes, the United States has fallen behind the progress made by other nations of the world.

In Norway, Sweden, Denmark, and England, for example, almost all bleeding and slaughtering of livestock is accomplished only after the animal has been quickly and completely rendered insensible.

A law in Switzerland requires an animal to be insensible before bleeding and slaughtering operations are carried on. Brutal "slip of the battleax" results have been eliminated.

It is understood in this connection that the Hormel Co. uses a carbon dioxide gas method which renders the animals unconscious before bleeding and slaughtering.

This is perhaps one of the best and most humane methods used. However, it is more expensive than the other stunning techniques in its initial cost.

In other countries, and to some degree in the United States, the captive-bolt device is used very effectively.

National Farmers Union urges that inhumane methods of stunning animals before slaughter be abolished by the approval of this committee and ultimate approval by Congress of legislation which would require mandatory humane slaughter methods relating to meats destined for interstate commerce.

The legislation such as we have in mind would leave to local authorities any regulations of nonfarm slaughter and slaughtering for intrastate shipments.

Enactment of such legislation would not affect the income of farmers since the cost of putting into practice the more modern methods of slaughtering would be a very minor one and could easily be paid from the oversized profits of commercial meatpackers.

At least one of the meatpackers, as I have already mentioned, has seen fit to do so. It should not be overlooked in this hearing that hearings were held last year in the Senate, and the record for legislation such as that which you are considering was made in that body.

It is clear to me also, Mr. Chairman, that the record is being made here today before this committee for early favorable action on mandatory humane slaughter legislation.

We appreciate, Mr. Chairman, the opportunity to appear before the committee and submit our views on this important legislation.

Mr. POAGE. Thank you very much, Mr. Johnson.

We are very much obliged to you.

I keep getting myself confused. Let us make sure that I have not overlooked somebody else.

I have listed here representatives of the National Meat Processors Association.

Do we have a representative of the Meat Processors present?

Do we have a representative of the American Federation of Retail Kosher Butchers?

Mr. GREENWALD. Yes, Mr. Chairman, in opposition.

Mr. POAGE. I am sure we have a representative of the American Meat Institute here, and you are in opposition to the bill.

There is no one representing the American Farm Bureau Federation, but they have asked to have a letter inserted in the record expressing their general opposition, and without objection I will insert that letter in the record.

(The letter is as follows:)

AMERICAN FARM BUREAU FEDERATION,
Washington, D. C. April 1, 1957.

Hon. W. R. POAGE,
Chairman, Livestock and Feed Grain Subcommittee,
House Agriculture Committee,
House of Representatives, Washington, D. C.

DEAR CONGRESSMAN POAGE: On behalf of the American Farm Bureau Federation we would like to express our views with regard to bills requiring the compulsory application of so-called humane methods in the slaughter of livestock and poultry. Naturally, as a representative of livestock producers, we have a tremendous interest in this matter.

With the membership in Farm Bureau at about 1,600,000, I would judge that a very large majority of this membership is actively engaged in producing, feeding, and marketing livestock, dairy, and poultry. From a completely practical point of view we believe the humane handling of livestock and poultry at all levels is perhaps of greater interest and concern to us than to any other group. Farmers and ranchers usually give the utmost care to their livestock.

In considering this legislation it is necessary for us to view compulsory legislation in this field in light of its possible economic impact on livestock producers. It seems to us that the meatpackers, the humanitarians, the scientists, and others cannot yet agree on the most practical or even the most humane method for slaughtering livestock. In light of the controversy around this issue it seems to us that compulsory legislation at this time would be very premature and not in the best interest of either the producers of livestock or the consumer.

We would recommend that an advisory group under the direction of the Secretary of Agriculture be established to give concerted study to this problem. It is our belief that a great deal more could be achieved toward a solution to this problem on a voluntary basis than if compulsory legislation is passed. The success of any program of this kind is largely dependent on the willingness of those dealing with the matter to cooperate.

In other words, we strongly believe that the greatest progress toward the solution of this problem will come about through the development of voluntary programs, based on factual information made possible through cooperative efforts of all segments of the livestock, poultry, and meat industry and those interested in the humane handling of livestock and poultry at all levels of production and processing.

We respectfully request that this letter be made a part of the record of hearings.

Sincerely yours,

JOHN C. LYNN, *Legislative Director.*

Mr. POAGE. That brings us to Mrs. Draper, who has a short film to show, and I think that this would be an opportune time to see that picture, and then we will proceed with those who are in opposition to this.

Would you let the audience come up to these chairs so they will be close to the screening.

(Presentation of film was made at this time.)

Mr. POAGE. Thank you very much for that picture.

We will now hear the opponents of the legislation.

I believe Mr. Regensburger is going to represent the American Meat Institute.

STATEMENT OF R. W. REGENSBURGER, OF SWIFT & CO., APPEARING FOR THE AMERICAN MEAT INSTITUTE; ACCOMPANIED BY ALEC P. DAVIES

Mr. REGENSBURGER. My name is R. W. Regensburger. I am vice president of Swift & Co., but I appear here representing the American Meat Institute, the trade, research and educational association of the meatpacking industry.

The American Meat Institute, now 50 years old, represents several hundred members, both large and small companies, in every State of the Union, which process somewhere in the neighborhood of 80 per cent of the commercial meat consumed in the United States.

I have been a member of the special committee on improved methods of slaughter of the American Meat Institute for a number of years, and for a period served as chairman.

The American Meat Institute has constantly favored and sponsored efforts which would secure humane treatment of all livestock under all conditions from farm to packing plants.

Over the years the American Meat Institute has been active in efforts to improve the handling of food animals. Many years ago, the institute joined the farm and livestock organizations, humane associations, railroads, truckers, stockyards interests, agricultural colleges and the United States Department of Agriculture in the formation of the National Livestock Loss Prevention Board, the name of which was changed to Livestock Conservation, Inc., a few years ago.

This organization, national in scope, financed by all segments of the industry from farm to packinghouse, is dedicated to educational and promotional efforts to reduce losses through better and more humane handling of animals.

We mention this merely to indicate the voluntary activity and interest of the American Meat Institute in all phases of humane treatment of livestock.

The American meatpacking industry is the world's greatest food manufacturing group. From 5½ million farms and ranches in every State in the Nation come live animals to the packing plants.

In 1956, the livestock processed at all meatpacking plants or establishments or on farms in the United States numbered about 27 million cattle; 12 million calves; 16 million sheep and 79 million hogs—making a total for all livestock processed of 134 million head.

Thus, we are not discussing here a subject of small import but rather legislation that will affect directly or indirectly millions of people, producers, processors and consumers. Our basic function in this industry is to process, distribute, and offer for sale edible meat that is clean, wholesome and appetizing. To do this we dispatch millions of animals each year, and in this task we bear responsibility to handle these animals humanely and efficiently.

The number of livestock dispatched annually in this country is, therefore, very large—far greater than in European countries with which comparisons are drawn with respect to humane methods of slaughter.

Under the conditions of corporations in the United States, the development and application of new methods of slaughter present more difficult problems than under European practice for two reasons:

1. High speed of operations in this country;
2. The more excited and fractious characteristics of livestock in our country.

As the number of animals dispatched in United States plants is very large, livestock must be processed at high hourly rates of speed.

For example, in the larger plants in this country—

(a) Hogs are handled at a rate of 600 head an hour (and a few plants operate at 1,000 to 1,200 hogs an hour).

(b) Cattle are dispatched at rates of 150 to 200 head an hour.

In the largest European plants to our knowledge, however—

(a) The highest rate on hogs is around 300 head an hour, or about one-third the rate in this country;

(b) While on cattle, the highest rate in Europe is 40 to 50 head an hour, or about one-fourth the rate in this country.

The higher hourly rates of dispatching livestock in this country presents more serious problems and difficulties in applying new methods than would obtain in European practice.

Further, the livestock reaching packing plants in the United States are not docile, and are not accustomed to people in close proximity. Our livestock are more accustomed to the open spaces, and, as a consequence, are not tame and tractable as a whole when brought to the packing plants.

In Europe, on the other hand, the livestock generally are more mild mannered and quiet as they are more accustomed to people.

In developing and applying new methods, therefore, the control of fractious and excited livestock in this country is a serious and difficult problem when coupled with the requirement of operation at high hourly rates.

The meatpacking industry is not opposed to improvements in methods of dispatching livestock which may be judged more humane.

While the meatpacking industry is highly competitive and while costs are a serious consideration, the members of the American Meat Institute recognize an obligation to improve the operating technique in handling livestock which will meet rational criteria for more humane slaughter.

In the presentation which follows, I should like to discuss two points:

1. The development of new and improved methods of dispatching livestock under the conditions of operation in this country is not as easy and simple as would appear from superficial observation and study, and investigations are required for important facets of the development which may not even be foreseen or anticipated.

2. The position of the members of the American Meat Institute with respect to legislation under the category of more humane methods of slaughter.

With respect to the first point mentioned, I should like to review two experiences of the American Meat Institute Committee which demonstrate that endeavors to improve methods of dispatching livestock have unavoidably entailed study, investigation, and research far beyond that which would have been expected at the outset of the project.

First, our efforts to apply electrical stunning to livestock in this country.

Second, the current problems in the progress of the improved stunning instrument developed by the Remington Arms Co.

While we are not familiar with the details, we are certain that the development of the immobilizer for hogs by CO₂ entailed appreciable research and investigation by Horman & Co.

ELECTRICAL STUNNING

In 1929 word was received of the successful application of electric current for stunning hogs in Germany. From the reports received, the adaptation of this method in this country should have been relatively easy—seemingly, merely devising mechanical means for meeting operating conditions in the United States.

However, before we completed this project, extensive research, study, and investigation were carried out in several subjects and facets which no one could have foreseen or anticipated.

I should like to review briefly some of the more important studies and investigations to illustrate the complexities of this problem which appeared relatively simple when we started.

1. The reports from Germany indicated that the current should be applied by placing one pole on the head and the other on the rump.

Our experiments with this method of current application soon revealed a serious shattering of the backbone and a breaking of the thigh bones in a high percentage of the hogs stunned.

Investigation was necessary, therefore, to determine an application of current which would obviate the damage to the backbone. Research demonstrated that application of the current by placing the poles on either side of the head would avoid the damage to the bones.

The answer to the problem was found, but research and study were necessary for a condition which was not foreseen.

2. During the course of our early activity in the application of electric current for stunning livestock we invited several scientists to view our tests. To our surprise, several of the scientists who observed our experiments expressed serious concern as to whether the effect on the hogs was that of true unconsciousness or a paralysis simulating unconsciousness in which the senses registering pain were still active.

Obviously, there would have been no point in proceeding with the project if true unconsciousness was not produced by the current. To clarify this point, Dr. Ivy was retained by the industry to investigate this subject. Dr. Ivy at that time was professor of physiology in the Department of Physiology and Pharmacology of the Northwestern Medical School. After extensive research, Dr. Ivy expressed the conclusion that true unconsciousness was effected by the application of electric current. The conclusion of Dr. Ivy was concurred in by several other scientists of national and international reputation.

Here again is an example of study and investigation of a phase of the subject which was not anticipated.

3. As we proceeded with the development of the project we then encountered other serious unfavorable effects caused by the current.

On cattle, the electric current caused a disfiguration of the most desirable and expensive cuts of beef, that is, the beef roast and steak. In appearance the meat revealed a myriad of small red dots indicating a bursting of minor blood vessels. This appearance resulted in a depreciation of sales appeal and value which would entail a serious economic loss to the entire cattle industry.

On hogs, the stunning with electric current produced tiny hemorrhages or blood markings on the lungs. These lesions introduced confusion for the Federal Meat Inspection Service in the post-mortem inspection, as the markings caused by electrical stunning were

indistinguishable from those present in the early stages of certain hog diseases. As a consequence, if hogs were stunned with electric current, a certain percentage of carcasses would, of necessity, be condemned on suspicion which would otherwise yield sound and wholesome product.

Supplementing the endeavors of the committee, the industry retained Dr. J. P. Simonds, professor of pathology at Northwestern University, to study the entire problem. After several years in this effort, Dr. Simonds was forced to the conclusion that no current was found that would not produce the hemorrhages or markings on the lungs. Further, the studies of Dr. Simonds did not reveal any distinguishable characteristic between the markings caused by electric current and those due to incipient stages of disease which would meet the requirements of the Federal Meat Inspection Service.

The need for the research project assigned to Dr. Simonds was not anticipated or foreseen when we embarked on the seemingly simple task of adopting electrical stunning of livestock to operations in this country.

As will be observed from the foregoing review, the project required extensive research and investigation before the conclusion was reached.

NEW STUNNING INSTRUMENT

The progress of the new stunning instrument proposed by Mr. John MacFarlane of the Massachusetts Society for the Prevention of Cruelty to Animals and developed by the Remington Arms Co. in cooperation with the joint committee comprised of representatives of the American Meat Institute and of the American Humane Association illustrates again the complexities and difficulties inherent in a problem which seemingly should have been easy and relatively simple considering the talent, ability and long experience of the concern in firearms.

The instrument has been in development over a period of almost 2 years and, while we believe we see the prospect of a successful conclusion, we would not be surprised if unexpected difficulties should still arise.

While the basic design and subsequent improvements in the firearm proper have been the result of the application of the talent and experience of the Remington organization, there have been some elements in the instrument which have been altered as a result of extensive test and usage in the field.

I should like to point out a few of these features to illustrate the need for research and investigation in the development of this instrument.

1. In some of the earlier models the mushroom-shaped head failed after a short period of use. To overcome this defect, study and research of the design best suited to withstand this service was necessary.

2. Within recent months the bracket fastening the stunning element to the handle has broken frequently.

Study and investigation of metal characteristics and design of the bracket have been necessary, but the final solution has not been found to date.

3. Currently, we are encountering damage to the bolt when the instrument on rebound strikes the metal side of the knocking stall when the stunning blow must be applied in an awkward position.

Study is underway to redesign the ball on the bolt to protect it under all conditions of service.

4. Experiments are still being conducted to determine the most suitable diameter and contour of the mushroom-shaped head for most effective stunning of all types of cattle.

I might enumerate many other problems and difficulties which required study and investigation in the development of the new stunning instrument; but believe the foregoing will illustrate the complexities in devising new equipment despite the diligence and zealous efforts of the Remington Arms Co. with long experience and background in firearms.

Remington Arms Co. informs us that currently the new stunning instrument has been placed in 35 plants. Further, the manufacturer has orders on hand for an additional 100 units which will be delivered as soon as they are available.

From reports received by the American Meat Institute some problems and difficulties have been encountered in the application of the new instrument at several plants, some of which have received their equipment within the past month or two. From the experience of Swift & Co. the period of introduction, which runs for several weeks, may in normal course be trying and discouraging. The use and care of the new stunning instrument is not as elemental and simple as the hammer; hence, the personnel at the plant must learn by experience the characteristics of the instrument, the most effective method of use and the care and maintenance of the equipment.

From our experience in Swift & Co. we are greatly encouraged in the performance of the new stunning instrument.

We have 4 plants at which the Remington equipment has been in regular daily use for from 3 to 8 months. During the period of use these 4 plants have stunned with the new instrument 201,000 cattle.

At 6 other plants the Remington unit has been in regular daily use from 1 to 3 months. During this period these 6 plants have stunned with the new instrument 108,000 cattle, making a total of 309,000 cattle, dispatched by the new stunning instrument at Swift & Co. plants.

While our results have been very promising and encouraging, I do not wish to leave the impression that the instrument is finished in design or function. We still have problems calling for solution and a need for further investigation and research.

In summary, the development of the new stunning instrument has required appreciable research and investigation, and more remains to be done to obviate some present deficiencies. This program again illustrates the research and study necessary for what appeared to be a relatively simple application of the knowledge and talents of a manufacturer of firearms with many years of experience.

IMMOBILIZING HOGS WITH CO₂

Along with progress in the application of the new stunning instrument for cattle, some concerns in the industry, following the lead of Hormel & Co., are proceeding cautiously to investigate the use of

CO₂ for immobilizing hogs. During the past year two installations were made, one for Hormel and one for another company. Serious consideration is being given by other concerns of seven additional units during the year, according to advice received from a representative of Hormel & Co.

While facilities developed by Hormel are available on the market, there are some companies which believe further investigation is desirable in view of the costs. The cost of installing facilities of immobilizing hogs with CO₂ may vary greatly depending upon whether—

(a) The installation is to be made in a new plant or in one in which major rehabilitation is dictated for other reasons; or

(b) The installation is to be made in a plant at which no rehabilitation is proposed or required.

In an installation in a new plant or in one in which major rehabilitation is to be undertaken, the layout and arrangement in the killing department can be designed to accommodate the facilities for immobilizing hogs with CO₂ with minimum expense. The portion of the total cost of the project ascribed to the CO₂ equipment is relatively small above the cost of the immobilizer and the bleeding conveyor.

On the other hand, if the installation is to be made in a plant at which no rehabilitation is required, then the total cost of all building alterations and rearrangements must be ascribed entirely to the installation of facilities for immobilizing hogs with CO₂. Hence, depending upon the circumstances, the cost of installing such facilities may vary greatly as between plants.

Facilities for immobilizing hogs with CO₂ designed and in use in Europe are available for service in this country. The cost is less than for equipment fabricated in the United States which is based upon the Hormel design. There are, however, several important features of the European equipment which must be resolved and evaluated for service under the conditions of operation in this country.

Following are a few of the more significant elements requiring further analysis:

1. The European equipment is limited to hourly rates of kill up to about 300 hogs an hour. Hence it would have no application for the high-speed equipment at very many United States plants which operate above this level.

2. The facilities from Europe will only accommodate hogs weighing up to 275 pounds. All animals above this weight must be graded out and immobilized on separate facilities. This limitation in the European equipment may present no problems for their operations, but it would entail not only added expense for plants in this country but also serious confusion in maintaining records on each lot of hogs. In normal operation hogs are purchased by lots which may include both heavy and lightweight animals. The hogs in each lot must be processed as a unit to obviate discrepancies and errors. Hence the grading out and separate immobilization of hogs above 275 pounds would result in serious complications in maintaining accurate records.

3. The equipment developed in Europe is serviceable with the tame and docile animals received in their plants. There is grave doubt, however, that the European equipment as presently designed would withstand the stress and strain of the fractious and far from tame hogs which are characteristic in this country.

As indicated in the foregoing, there are several features of design and construction of the European equipment which will require further research, investigation, and possibly field testing before the true cost of these facilities suitably designed for service in this country are known.

In addition to the element of cost of the European equipment, there may be some advantage to it in installation expense. The European equipment is oval in shape in contrast with the straightline design of the Hormel equipment. The oval feature may afford some advantages in installation cost as the straightaway length is appreciably less than with the Hormel design.

If investigation and analysis discloses advantages in cost of installation in the oval design, conceivably this feature might be incorporated in equipment for higher rates of kill by further research and study. Hence, there are several significant features in the European equipment for immobilizing hogs with CO₂ which call for considerable research, investigation, and analysis before the true total cost and applicability of these facilities can be determined.

NEED FOR FURTHER RESEARCH

While progress has been made in the development of the new stunning instrument for use on cattle and in additional installations of facilities for immobilizing hogs with carbon dioxide gas, there remain several serious and complex problems in the field of improved methods of slaughter which will be considered more humane. A few of these projects are mentioned below:

1. While the performance of the new stunning instrument is encouraging and very promising, several improvements and refinements in design are indicated.

2. Means and methods must be evaluated as to cost for stunning sheep and lambs and calves.

We believe the new stunning instrument may be adapted to this service, but further research and study are required. The use of CO₂ is also a possible method which may be applied.

3. Study, analysis, and, possibly, some field testing will be required before a true evaluation can be secured of the lowest costing equipment for immobilizing hogs with CO₂, taking into account initial investment and operating costs of different designs of equipment.

POSITION OF AMERICAN MEAT INSTITUTE—LEGISLATION RELATING TO HUMANE SLAUGHTER

Legislation which requires the application within 2 years of humane methods of slaughter to be prescribed by the Secretary of Agriculture as provided in House bills 176, 2800, 3029, 5671, will not provide the solutions to the problems inherent in this project. Nor will such legislation supply a substitute for the study, investigation, and research which will be necessary.

While we are opposed to legislation which arbitrarily imposes a dateline for the application of what are termed humane methods of slaughter without regard for delaying problems or complexities which may be encountered, we do favor the approach inherent in H. R. 5820, as proposed by Representative W. J. B. Dorn.

As we have pointed out, the development and the refinement of improved methods of slaughter require research, investigation, and study. These are no shortcuts to a satisfactory and complete conclusion.

In view of our experience in developing new instruments and methods in the slaughter of livestock, we favor the principle in H. R. 5820, as it provides a sound and practical approach to the remaining problems in our search for more humane methods of slaughter.

Mr. POAGE. We want to thank you very much for that statement.

I want to express the appreciation of the subcommittee that visited your plant in Kansas City last summer. We were very graciously received, and we were given an opportunity to see everything we asked to see. We could not have sought more gracious or cordial welcome, or a more cooperative attitude, and we do appreciate very much the attitude of Swift & Co. in this matter.

Mr. REGENSBURGER. Thank you, Mr. Poage.

Mr. COOLEY. You say that—

Many years ago, the institute joined the farm and livestock organizations, humane associations, railroads, truckers, stockyards interests, agricultural colleges and the United States Department of Agriculture in the formation of the National Livestock Loss Prevention Board—

which is now known as the Livestock Conservation, Inc.

Mr. REGENSBURGER. That is correct.

Mr. COOLEY. Now, was that many years ago?

Mr. REGENSBURGER. That is right.

Mr. COOLEY. Now, will you tell this committee what that organization has accomplished in the many years you have been in operation?

Mr. REGENSBURGER. May I turn that question over to Mr. Davies, because I am not familiar—

Mr. COOLEY. Yes. What has the corporation accomplished to make more humane the handling of livestock from the farm to the slaughterhouse?

Mr. DAVIES. Well, Congressman Cooley, this organization has, I think, had a great deal to do with the cutting down of the bruising of animals by loading methods, new and improved methods of loading, handling of animals, watering and all these other things.

Now, I am not an expert in this field, but I understand the president of this organization, the director of livestock of the American Farm Bureau Federation, is planning on submitting a statement to this committee on what they have done and what they are doing. Because as you know, the Dorn bill covers more than just the slaughtering of animals. It also goes into the question of whether we can find better ways of handling these animals all the way from the farm through the slaughter.

Mr. COOLEY. Aren't hogs loaded and transported now like they were 10 years ago?

Mr. DAVIES. No. There has been a vast improvement.

Mr. COOLEY. Well you put them on a truck and haul them.

Dr. DAVIES. But the designs of the trucks, Congressman, have been improved.

Mr. COOLEY. Well, was it improved as a result of the efforts of this concern?

Mr. DAVIES. Indeed it was, in cooperation with the truckers, with the people who design the trucks.

Mr. COOLEY. You give them water in transit. Hasn't that always been required by law?

Mr. DAVIES. Some has been required by law.

Mr. COOLEY. It is required by Federal law, isn't it?

Mr. DAVIES. I know it; and we have been working with the Federal Government on it.

Mr. COOLEY. Well, there is a man shaking his head back there. You mean there is no Federal law that requires you to give hogs feed and water in transit?

Mr. DAVIES. Certainly there is. On rails—on rails; yes.

Mr. COOLEY. I said on railroads.

Mr. DAVIES. Sure.

Mr. COOLEY. Of course, you cannot control the truckers, but at the same time you could prosecute a trucker in the jurisdiction of America if you found him hauling hogs without feed and without water for a long time.

Mr. HARVEY. Will the gentleman yield just at that point and permit me to make the observation that very few hogs are in truck transit for 24 hours.

Mr. DAVIES. That is right.

Mr. HARVEY. Hogs are short haul.

Mr. COOLEY. All right; transported by rail; you have to have feeding stations for them?

Mr. DAVIES. Yes; but Congressman, you know I am sure that there is a lesser and lesser amount of livestock being transported by rail today.

Mr. COOLEY. Less and less?

Mr. DAVIES. That is true; and more and more by truck.

Now, I know that the Livestock Conservation, Inc., is an educational association, nonprofit, and we all support it; and one of the things that we have been trying to do through education of truckers is to educate, often, the farmers in handling their animals.

Mr. COOLEY. In other words, you are all relying on education and research, and you have been researching and educating for all of these years and you are using exactly the same methods, or substantially the same methods now, as you used 40 years ago?

Mr. DAVIES. No, sir; we are not using the same methods.

Mr. COOLEY. While your company cites Hormel, for what their company has done, yet you sit and argue that you should not be required to do the same thing Hormel has done and done successfully.

Mr. DAVIES. That, my dear Congressman, has nothing to do with Livestock Conservation. They are not in the slaughtering of animals; they are in the handling of animals.

Mr. COOLEY. You say you are interested in them all the way from the farm to the slaughterhouse?

Mr. DAVIES. That is right.

Mr. COOLEY. You talk about these stunning methods and bolt pistols and firearm equipment. It looks to me as though you end up your statement with just a bit of suggestion to "leave us alone and we will keep researching and we will keep investigating, keep studying, keep on doing the same thing."

Mr. DAVIES. No, sir; I do not think our statement says that at all.

Mr. COOLEY. That is the way I interpret it. You do not lay out a program, you do not say "We intend to do this."

Mr. DAVIES. I think Mr. Regensburger, in his statement, pointed out very carefully, it seems to me, that when you start on some of these projects it turns out you have complexities develop in the problem.

Mr. COOLEY. Certainly you will, and you will always have them. But Hormel has remedied some of it.

Mr. DAVIES. Some of it; yes.

Mr. COOLEY. I saw their plant operate, and I cannot imagine a more humane way of slaughtering hogs than the way they do it. You saw that picture a minute ago, and I do not know whether or not that came from Swift's plant, but you do it exactly the same way in Swift's plant, don't you?

Mr. DAVIES. In fact, may I ask this question: I would like to know was that a Federal-inspected plant?

Mr. COOLEY. Hormel's?

Mr. DAVIES. No; the one the picture was taken in. I would like to know what plant was taken——

Mr. COOLEY. I cannot vouch for that. However, the point I am trying to leave with you is that this committee has received thousands and thousands of communications from people all over this country, and the people are disturbed about this inhumane way these dumb animals are treated. When you see a heavy steer swung up by his heels, and a heavy hog strung up, as these were a moment ago, I do not say that you can do it overnight, but I say you can improve it.

Now, I have seen them hit the cattle on the head with these balls, and I have not seen anything that I would consider cruel, because the ones I saw hit went down immediately.

Mr. DAVIES. That is right.

Mr. COOLEY. We are told in the picture we have seen about hogs swimming around in scalding water, still alive, calves still alive, while their heads were being skinned.

Mr. REGENSBURGER. May I comment on that?

Any hog that gets to the scalding tub alive is purely an accident. Because any hog which reaches the scalding tub and dies in the scalding tub is condemned as an inedible product.

Mr. COOLEY. As an inedible product?

Mr. REGENSBURGER. It is condemned for edible use.

Mr. COOLEY. Yes.

Mr. REGENSBURGER. And that is a total loss to the plant.

Now, if very much of that occurs, economic reasons, in addition to those of humane consideration, would put a stop to that very quickly.

Mr. COOLEY. They told us they had already paid for the equipment many times in saving and improving the quality of the meat. Now, I realize that you could not put in a Hormel outfit to take care of all the cattle that goes to the market overnight, but this business of developing a ball on the bolt, or whatever it is, it seems to me Remington Arms or somebody should be able to develop something that would be a little more humane than the method now being used, which would satisfy these people who are greatly disturbed over this thing.

I know that this committee is not as much disturbed as a lot of these humane-society people are, but if there is any way to improve

it, it certainly is a challenge to you people in the slaughterhouse business to do it.

Mr. DAVIES. And we are accepting the challenge, Mr. Congressman.

Now, one of the reasons there has been a debate on this question of the bolt pistol versus the mushroom-shaped head, is that we have a feeling we have a responsibility that we should not waste any product from that animal that comes out to us from the farm.

People say "Well, brains are not important." Well, I think you all were interested in passing Public Law 480, which is to increase our foreign sales. And the other day this country got an order for 2,000,240 pounds of brains for Spain. Now, if we had used a captive bolt pistol on those animals, there would be no brains to handle that order.

Mr. COOLEY. There is one other thing I want to point out. In this well-prepared statement you have presented here, you, in effect, say that America operates at such high speed, that we cannot afford to be humane.

Mr. DAVIES. No, we do not say that.

Mr. COOLEY. That is exactly what you said. You said because of the high speed of your operation, you could not do it in a humane fashion as it is done in Switzerland and Norway and other countries.

Mr. REGENSBURGER. I think what we said was that the application of improved methods, of different methods, is more difficult than it is in Europe.

Mr. COOLEY. Sure it is. But the fact of it is we are killing them too fast, and we do not have time to be humane.

Mr. REGENSBURGER. No; it takes a different device or a different arrangement, which entails more research and development.

Mr. COOLEY. I realize it is a problem of great value to you, and I have told everybody who talked with me about it, that I doubted very much if this committee would report a bill that I would accept. I say that frankly because I know that slaughtering is done under different circumstances in different places, on just about every farmstead in the country. There are all sorts of slaughtering. Slaughtering of wild animals, that is cruel, too. There is nothing humane about shooting a deer in the woods and letting him go around damaged or crippled the rest of his life, or shooting a duck out of the air. There is no society for the wild animals, but they are concentrating on these plants.

These humane-society people go there and take an interest in these animals, to see that something is done about it. I am prompted to say what I am saying because of the tremendous amount of interest that is demonstrated in this problem.

I do not think you gentlemen, by this statement, indicate that you are doing much to improve it.

Mr. DAVIES. Mr. Chairman, I would say to you that, not only have you received letters, but we have, too, and in concentrated form; and we take this matter very seriously. And one of the reasons that we urge a study by a competent commission is because I do not think that we are competent, and we do not believe the Secretary of Agriculture is competent to work this thing out. We need some further study.

Mr. COOLEY. Just let me say this: You say in the first statement that this newly formed organization has been in the business for

many years, and I asked you what you have accomplished, and you have not given us a very satisfactory answer.

Mr. DAVIES. I hoped that I had made that position clear. The Livestock Loss Prevention Board and Livestock Conservation, Inc., they are basic, of which the American Humane Society is a part, and we are a part, and the truckers are a part, the railroads are a part, the USDA is a part. Their main responsibility is to handle animals more efficiently and more humanely in the process of transit from the farm to the packing house and up to slaughter. They have nothing to do with slaughter.

Mr. COOLEY. Well, notwithstanding all that you have just said, the humane society that you referred to, the Humane Association, they are still insisting that the Congress of the United States do something about this problem.

Mr. DAVIES. I realize that.

Mr. COOLEY. That is all, Mr. Chairman.

Mr. REGENSBURGER. May I amplify what I have said?

Mr. POAGE. Certainly.

Mr. REGENSBURGER. The cost of installing CO₂ facilities at our plants is appreciable. In moderate-size plants it runs as high as \$275,000. And in another plant we have an estimate of \$210,000. The depreciated value of the whole plant itself is only \$218,000, which gives you some indication of the cost.

Now, I was greatly disturbed by what Dr. Clarkson had to say this morning as to acceptance of the humaneness of some of the methods which are proposed. Now, our concern is that we may get in these installations and then have someone that is forceful and articulate arise and say, "We question whether this method is humane." And for that reason, we think that there should be research and investigation to establish beyond any doubt that the method is humane, just as we did with electrical stunning.

Mr. COOLEY. Well is anyone arguing that the Hormel method of killing hogs is not humane?

Mr. REGENSBURGER. Well, Dr. Clarkson raised some questions this morning. I do not know on what basis they are, but I was deeply concerned about what he had to say.

Mr. POAGE. Mr. Harvey.

Mr. HARVEY. I would just like to, I would not say challenge, certainly, I would like to have some reservations with regard to the statement on page 6, that page of your argument dealing with the stunning of hogs with electric current, in which you comment on the fact that killing by electrical current causes tiny hemorrhages or blood markings on the lungs, and say that it can cause the inspectors to confuse this result with other hog disease.

I have had a little experience in this field, and I know that the one thing you are looking for usually is hog cholera. Now, these small hemorrhages are called petechial hemorrhages, and in diagnosing a hog to determine whether it has had cholera or not, you do not rely entirely upon such markings on the lungs. In fact, my usual diagnosis is to examine the kidney tissue, and the petechial hemorrhage is usually considered, I believe, more an indication of the condition of the hog with regard to this particular disease.

I do not know that this observation I am making is so terribly important with regard to the overall question that we are considering,

but I am saying here that I do not believe that this argument, in my judgment, at least, is a very good one.

Mr. REGENSBURGER. Of course, as you understand, we are subject to the decision of the MID.

Mr. HARVEY. I understand. Thank you very much, Mr. Chairman.

Mr. POAGE. Thank you, Mr. Harvey. I believe before you came in that Colonel Anthony testified that all of the British veterinarians could distinguish between these markings and the disease markings.

Now, whether you accept his statement or whether you accept Mr. Regensburger's—I am certainly in no position to accept one as against the other, except to say that obviously there is a difference of opinion about the matter.

Mr. HARVEY. I had not intended to make this statement, but I do not have any hesitancy in doing so. When I wrote my bachelor's thesis, the thesis had to do with posting many hog carcasses, and a part of it was the study of the outward evidence of various kinds of diseases in relation to the organs. And I have been following up that work that I did for my bachelor's thesis. That is what leads me to this statement that I am making, that I do not think that this argument that is presented here is a very good argument. However, there may be other rather good arguments; they may have presented other very good arguments. I do not think this is a very good one.

Mr. REGENSBURGER. I would like to say that we were disappointed when the MID expressed its conclusion, because we had spent considerable time and effort and money in the actual and the practical application of equipment to handle the hogs at our Chicago plant, and we were in regular operation for a little over a week before we were stopped.

Mr. POAGE. Mr. Regensburger, could I ask: Isn't it true that in absence of any law on the subject, you readily question anything they tell you down here at the Department of Agriculture that you must do and you do not hesitate to contest it? That is the way most of us do.

I mean no criticism of you, but had you an investment that was involved in the Department's ruling which was going to actually impinge upon your prospective returns, I expect you would put up considerably more argument with the Department of Agriculture than you did, wouldn't you?

Mr. REGENSBURGER. Well, maybe we did, because I came down personally and talked to Dr. Moller, reviewed the whole subject with him.

Now, in addition to that, we spent money and retained Dr. Simonds to check our work to see whether there was a current which would obviate those problems—

Mr. POAGE. Yes, but I recall when you had some other problems down here, that you have come down and you have talked with Mr. Benson. I remember cases where your organization has come down here and talked to Mr. Benson. But that was when it was a matter of law and when it did involve a much more serious loss to you than the possible development of some—

Mr. REGENSBURGER. You may be right. And in those days we stopped when we got to Dr. Moller.

Mr. DAVIES. Mr. Chairman, I would like to make the point here that I read with interest Colonel Anthony's statement. It seems to

me that his quarrel, if any, is with the United States Department of Agriculture.

Mr. POAGE. I think yours is, too.

Mr. DAVIES. Well, we are operating—

Mr. POAGE. That is exactly the point I am trying to make. I think you are willing to quarrel with the Department if you have very much at stake, as you would have if we passed a bill; whereas, you, nor I, nor Mr. Harvey, or none of us, would be very much interested in going down there and carrying on a long protracted quarrel with the Department if we did not have very much at stake.

Isn't that exactly what has happened in this case?

I grant you that it seems clear that the Department has taken a position quite different from that of most of the rest of the scientists of the world, as far as I can find out, and I do not want to say the Department is wrong—sometimes the minority is right—but apparently the weight of judgment is against the Department right now on this particular item.

However, no one cares to make an issue about it because no one has anything much at stake on it.

Mr. DAVIES. Mr. Congressman, I think you and I have traveled somewhat around the world. I was born and brought up in England, in Wales, rather, and I have lived in America most of my adult life, as you know.

And I assure you there is quite a difference between the requirements of the Meat Inspection Service of the Department of Agriculture and some other services in the inspection of edible food products.

Mr. POAGE. Yes, and the point I am making, and you seem to miss my point—I probably do not make it clear—is that if this involved the actual sale of your commodities, you would not stop if you got an adverse opinion from Dr. Clarkson. You, Mr. Davies, would have been sitting right down here in the Willard Hotel for the last 3 months, and you would not have been talking to Dr. Clarkson, you would have been talking to Mr. Benson.

That is the only point I am making. And I do not condemn you for it, I think that is exactly what you ought to do, and I think it is what every other industry does. But I think it emphasizes the fact that we are never going to make progress very rapidly until some pressure is put on us, because you are not going to apply much pressure to the Department, and neither is anyone else. Why should they? Isn't that perfectly clear? Aren't you more concerned with getting what you conceive to be a proper ruling in regard to the Meat Inspection Act?

Aren't you really more concerned about that than you are about what the rule is about these instruments?

Mr. DAVIES. The only thing I know, and I was not here and I do not think you were, either, Congressman, but I know that the Meat Inspection Act, we thought, was going to be a great evil, and it turned out to be a great good for the meat industry.

If you will recall, you and I fought blood and sweat on this meat inspection thing in 1948, I believe.

Mr. POAGE. I remember.

Mr. DAVIES. One of the things, speaking for the trade association, I have been very careful not to do—and I have known several Secretaries of Agriculture besides Mr. Benson—is try and get involved in

changing anything affecting the wholesomeness of meat products because I do not think it is a function of ours to get involved in—at least mine.

Now, if the company wants to do it, that is all right, but I do not think I should go down there, and never have, and try to attempt to change the decision of these people, whose basic reason, passed by Congress, is to protect the wholesomeness of the meat eaten by the people of this country. So it is a very delicate problem when you start dealing with that one.

And I have never done it, and I do not intend to.

Mr. POAGE. Thank you very much, Mr. Regensburger and Mr. Davies.

Well now, we have a representative of the American Federation of Retail Kosher Butchers, Inc. Will you identify yourself, sir?

**STATEMENT OF DAVID H. GREENWALD, COUNSEL, AMERICAN
FEDERATION OF RETAIL KOSHER BUTCHERS, INC.**

Mr. GREENWALD. Yes, sir.

My name is David Greenwald. I appear here for the American Federation of Retail Kosher Butchers and the Association of Kosher Butchers primarily in the metropolitan area of New York City.

Mr. POAGE. You may be seated if you care to.

Mr. GREENWALD. Thank you, sir.

We have affiliations under the Retail Kosher Meat Industry Council with associations in the States of New Jersey, Pennsylvania, Connecticut, Massachusetts, and Florida, and we are in contact with similar associations in Illinois, Ohio, California, Michigan, and other States where there are but a few kosher butchers.

We, of course, must stand on the premise that kosher slaughter is humane. By divine word in our Bible, there is strict instruction on the method of kosher slaughter.

I will point out, No. 1, of course, that the film you saw here does not apply to us at all, because also by divine word, we are obliged—practicing Jews and Orthodox Jews are obliged—to eat only that meat which comes from animals which (1) chew cud and (2) have a split hoof. Hogs, of course, are out of that classification.

I will not discuss the hog question at all. I will, of course, defer on the religious issues involved to the rabbis who were here and spoke with you today. I would like to point out some other technical defects in these proposed bills.

Gentlemen, at the moment, under your inspection service, inspection is mandatory in federally inspected slaughterhouses. A slaughterhouse comes under the purview of the law, depending on what happens to the meat after slaughter. In other words, a slaughterhouse in Illinois buying livestock in Omaha, and then shipping the meat out of the State of Illinois, comes under the Federal Inspection Service.

If the livestock were purchased in Omaha, slaughtered in Illinois and consumed entirely in Illinois, it is not a Federal question at the moment.

In all of the bills before you the definition has been completely changed. The test is, not now what happens to the meat after slaughter, the test in your bill is: Where does the livestock come

from? Every one of your bills has that same definition of a slaughterer, a person engaged in buying livestock across a State line. There has been a statement made here, unchallenged, that there are 500 slaughterers now under Federal inspection. I do not know how many thousands are under State law nonfederally inspected. By enactment of any of these pieces of legislation they all would come under the Department of Agriculture as far as the humane slaughter operations are concerned.

Now, there is a serious problem, I think, whether the Department of Agriculture could come in to supervise the humaneness of the slaughter without at the same time requiring the plant to have the type of facilities which are necessary in a federally inspected slaughterhouse.

Now, the small slaughterer who may kill 5 animals a week, or even 5 a day, may not have the requirements that they make mandatory. He may not have the tile walls or the separate clothing facilities, or the shower facilities, which they require under federally inspected slaughterhouses.

What this will do to the personnel of the Department of Agriculture, I do not know. If at present they supervise 500 plants, how many men will they require to supervise five or ten thousand plants? I do not know how many are now not federally inspected. That, I think, is something you should certainly consider when drafting any bill of this nature.

You proposed a question before, Mr. Chairman, as to the type of legislation which we Jews could endorse. Let me point out to you some of the dangers.

Last year one of the bills proposed that meat resulting from kosher slaughter should be limited only to the religious adherence of that faith, and Mr. McFarlane, who testified here for the proponents, again suggested that the meat from kosher slaughter be restricted to adherence of that faith.

As a practical proposition, meat that is kosher slaughtered, the entire carcass is not consumed by the Jewish people for the very reason that our Torah also provides that there must be some deveining before the meat is used. The forequarter of the animal has comparatively few veins; the hindquarter, comparatively, has a good many veins. For a practical proposition, to devein a hindquarter makes the meat eligible for hamburg, also. But by the same token for the nonkosher trained, the hindquarter of the meat is much more preferable.

Your better restaurants and hotels want the hindquarters only. The better steaks come from there, the sirloin and the rest of them. For that reason, if such a suggestion went into any of these bills, the entire hindquarter of the animal would become a sheer waste, being restricted to the Jewish trade, which could not consume it. And there starts this business of the hidden things in the bills which we are so much afraid of.

We are against any bills which will in any shape, manner, or form impede the sale and traffic of kosher meats across State lines. Therefore, we must oppose all the bills which today are before you and make for the compulsory slaughter by the humane methods.

Mr. POAGE. We thank you very much. I take it that your position, then, is simply that you would have to oppose any bill, first, which

required a Federal standard of slaughtering unless the end product was later going to be shipped across State lines?

Mr. GREENWALD. Yes, sir; we must oppose any bill which does not in its body recognize that kosher slaughter is humane. Not a bill which has two humanes and sets up kosher slaughter as approved. By implication there we are not humane and that we can never accept, Mr. Chairman.

Mr. POAGE. You now come to an entirely different point, because I do not think your other one is anything except a definition of what is interstate commerce.

Mr. GREENWALD. Yes, sir.

Mr. POAGE. It has nothing to do with whether it is kosher or whether it is nonkosher.

Mr. GREENWALD. That is the general observation.

Mr. POAGE. That is a general proposition. But the question now is whether, if you would oppose any bill which sets up standards other than kosher standards—then I do not see how it is possible to write a humane slaughter bill that would meet your requirements.

Mr. GREENWALD. I cannot speak for the gentlemen of the cloth, but it seems to me they cannot, and we cannot, accept a bill which will do less than recognize kosher slaughter as humane.

Mr. POAGE. Well, I am perfectly willing to agree with you on that, I am perfectly willing to recognize it as humane. I do not know of any objection to that, as a matter of fact, on the committee.

Mr. GREENWALD. Then, sir, conceding that, if you go further with all these bills, conceding that they will all be humane, further down in all these bills there is a prohibition against hoisting, shackling, or any other method of bringing the animal into position for slaughter.

Our faith requires that the animal be turned with its shoulder to the ground before the shohet can do the slaughtering. We know of no method that I know of—I am not a slaughterhouse operator—how you can possibly bring the animal down except by some mechanical means.

Mr. POAGE. If we cite in the bill humane slaughter as prescribed by the Secretary of Agriculture, or humane slaughter as prescribed by the Jewish ritual, or humane slaughter as prescribed by the Moham-medan ritual, if we recite those things as being legal methods of slaughter and set yours out, as I am perfectly willing to do, as being a humane method, and frankly, from what I understand, with the use of that knife, that does result in the same sort of thing that we are trying to achieve here—if we set out that those are humane methods, do you have any objection?

Mr. GREENWALD. I personally, sir, would have none. But I would not be presumptuous enough to speak for the gentlemen—

Mr. POAGE. I understand that. Certainly, it is not the desire of this committee to pass anything that either prohibits the practice of any religious method of slaughtering, or to cast any aspersion upon any method prescribed by any religion, and I do not care whose it is.

Mr. GREENWALD. I should like to point out, sir, even if the bill were so drafted, the prohibitions contained in the succeeding paragraphs would prohibit kosher slaughter as presently written.

In any of these bills at random—

Mr. POAGE. Not if it were drafted so as to provide that your methods were one of those recognized as humane slaughter. It is certainly easy to draft—I am not saying that these bills are so drafted, I did not draft any of them, and I am not saying that they are so drafted—I am saying it is perfectly easy to draft a bill that recognizes the Jewish method as being one of the humane methods of slaughtering.

And I am perfectly willing, as far as I am concerned, to say that anybody's religious methods are humane, because I do not believe that any religion of the world sets up something that is brutal and inhumane.

I am perfectly willing to accept that. I am perfectly willing to write it in the bill in plain words, that it is one of the humane methods. I am not willing to write at as the only and exclusive method.

Mr. GREENWALD. Yes, sir.

Mr. POAGE. And you would not ask me to do that.

Mr. GREENWALD. No, sir.

Mr. POAGE. So I think that from that standpoint, and I recognize that you do not speak for the priesthood, but on the other hand, just as laymen, you and I can, I think, thoroughly agree.

Now, as to the legal standpoint, that hasn't any more to do with kosher meat than it has to do with anybody's meat.

Mr. GREENWALD. That would apply to all meat slaughterers.

Mr. POAGE. It would apply across the board?

Mr. GREENWALD. Yes, sir.

Mr. POAGE. And it is something that should be considered. I do not mean to pass it over lightly, but I do mean to say it has no particular reference to kosher meat.

Mr. GREENWALD. No, sir; it does not.

Mr. POAGE. Mr. Liljenquist, we are glad to have you, and we will be glad to hear from you.

STATEMENT OF L. BLAINE LILJENQUIST, WASHINGTON REPRESENTATIVE, WESTERN STATES MEAT PACKERS ASSOCIATION, INC., WASHINGTON, D. C.

Mr. LILJENQUIST. Thank you, Mr. Chairman.

I am sorry I was detained. I was appearing on a meat promotion bill this afternoon over in the Senate.

I do not have a prepared statement, Mr. Chairman, but I would like to comment briefly orally.

I am here representing the Western States Meat Packers Association, in which we have 264 member firms. We are located in the Rocky Mountain-Pacific Coast States. I am also a member of the board of directors of Livestock Conservation, Inc., but I am not representing that latter organization here as a witness.

We feel that this problem of humane slaughter is one of great importance, and we also believe that a great deal of good has already come about as a result of the introduction of bills in Congress to provide for humane slaughter legislation. Our whole industry has become interested in doing something about humane slaughter more rapidly than has been done in the past.

Now, our industry is one that has been operating a great many years. Some people think that progress in our industry comes slowly, but I want to say that we are keenly aware of our responsibility to

handle animals humanely, and as a public relations we are mighty interested in doing all we can to hasten the development of processes that will be an improvement over what we have had in the past.

So we think that the legislation that has been introduced last year, and again this year, has had a desirable influence on our industry in calling to the attention of our people the importance of concentrating attention on this problem.

Now, we are not ready to agree that research has gone far enough in this field where we could accept legislation which would make it compulsory that these proposed mechanical, electrical, and other so-called humane methods be made compulsory. Now, we believe that a great deal of progress is certainly going to come in the next few years.

Last year we suggested in the hearings in the Senate that a substantial research program be undertaken in the Department of Agriculture to develop these so-called humane research methods of slaughtering, which could be utilized in small packing plants. We must bear in mind that a lot of the small packers—and ours is a small packers association—do not have a large volume of slaughter in some species, or some of them in any species, for that matter. Some of our small slaughterers are just handling, maybe, 100 or 200 or 300 hogs a week.

And, if you impose legislation which, for instance, would make it mandatory to immobilize hogs with carbondioxide gas, the cost of the installation of such equipment may very well be beyond the financial reach of a small packer and, as a result, he would be forced out of slaughtering a particular species of livestock.

We have watched with interest the development of this Remington stunning instrument, and we have had it demonstrated at our last two conventions. We have also had it at some of our regional meetings, and we believe that it bears real promise. It is something that, it seems to me, meets a need, particularly in the slaughtering of cattle, and we believe it will not be too long before that gun is perfected to a point where it can be used economically and efficiently for that purpose.

We believe that it would be a mistake to pass legislation which would be compulsory in 2 years, or in 5 years for that matter. We want to work as rapidly as we can in this direction, and we would like to see some real support for a research program in the Department of Agriculture. We do not believe that compulsion is the American way to solve problems. Sometimes compulsion also prevents progress. We do not say that we are not at fault, over the years, in not doing more than we have, but we have a keen desire to do as much as we can, and now more than ever before in the history, I would say, in the history of our industry.

We hope that you would not adopt a bill which would have a compulsory feature, but we would support a bill that would bring about expanding research, both in industry and in the Government, to develop improved methods. And we, as an association, will do all we can in our segment of the industry to promote the utilization of these new methods as rapidly as they are proved feasible for adoption.

Thank you.

Mr. POAGE. Mr. Liljenquist, we appreciate your coming here. I do not want to impose a question upon you that probably should have gone to many others, but I just wonder what is the basic difference between applying humane methods in these packing plants and the

application of safety devices to the machinery that you use in those plants.

Every one of your plants is subject to safety laws, I am sure, and you have to close off dangerous machinery, you have to provide certain preventions for fire and explosion, and so on. No one knew for certain, when we established those regulations, just how that machinery was going to develop, and in some cases we unquestionably provided some requirements that have become burdensome over the years.

What is the basic difference?

We could apply the same line of thought to the shipping industry. We all know that railroads are required by law to use air brakes. You cannot run a railroad with the old hand brake deal that you used many years ago. Everybody knew you ought to have the air brakes, but everyone said, "There is some little fellow who cannot afford air brakes." However, they were required.

We require every ship that sails the seas under our flag to carry out a great many very expensive safety practices, more so than any other nation in the world. Probably we have required some things that were not too practical. We had not spent 29 years in research on it when we applied it.

What is the difference, basically?

Mr. LILJENQUIST. I would say the principal difference, Congressman Poage, is that in connection with your safety devices on machinery, you already have developed the safety measures which can be applied and they are practical, they have a purpose that is within the reach of those who are engaged in that business. And I think there is quite some difference to apply—

Mr. POAGE. Oh, that machinery is changing just as fast as any development in the slaughtering of animals. Of course, there has not been any drastic change in the slaughtering of animals since the war. But there have been changes in machinery regularly. It has changed from steam to electricity. We make those kinds of changes all the time, and the regulations that were applicable one year are not applicable the next. But we do not say we simply will not do anything about it because there may be some change in the meantime.

Mr. LILJENQUIST. Well, it is a point to consider, all right, but I think you will find, Mr. Poage, that as these new methods are adopted, are developed, and are used in the plants in this country, as they start to be used, that other packers will take them up, particularly those improvements where there is a financial advantage, and some of these improved methods undoubtedly will result in less bruising to animals.

Mr. POAGE. Don't you imagine that the Italian Lines right now would agree that it would be to their financial advantage to build bulkheads all the way up to the top in their ships, so they could not sink, and to apply the United States safety requirements? They just lost—what was it—\$10 million when they sunk the *Andrea Doria*, and it was their loss. They could probably have saved it if they had spent \$200,000 or \$300,000, but they did not save it, and there was not any law in Italy to require them to do it.

If it had been an American-flag ship, it would have had to have had those provisions. But they did not have to provide them. They lost, and they or their insurance companies are the ones that took the loss; we did not take it.

Don't you think now they would agree that it would probably be to their advantage to spend it? But the American ships have been forced to spend it. And you have not had any American ships sink, either, since the *Morro Castle*, have you?

Mr. LILJENQUIST. No. Now, Mr. Poage, I would say that our interest in humane slaughter is not far different from the organizations that are proposing compulsory legislation. We are interested in the subject, and we want our industry to use these methods, but we do not want any compulsory legislation which would force upon them impractical measures, and particularly those which may force small packers out of this industry.

Mr. POAGE. Would you just be willing to leave it up to the Secretary of Agriculture? Suppose we just passed a bill and said that you are to comply with the humane regulations prescribed from time to time by the Secretary of Agriculture?

Mr. LILJENQUIST. Well, now, Mr. Benson is a very humane man, I have no doubt about that. I would not want to leave this, however, up to the judgment of one individual. I presume you might provide for him to have guidance from several. However, our view is that let's concentrate some attention on developing these methods; let's have the methods before we think about making them compulsory, and after we have the methods——

Mr. POAGE. I think if we gave Mr. Benson that authority and imposed that duty on him, that it would speed him up in his determination of what is humane. I think it would speed it up by many, many years.

And I do not say that with any criticism of Mr. Benson. I think we would do the same thing if Bob Poage were Secretary of Agriculture. I think it just has that sort of effect.

Mr. LILJENQUIST. We have a great degree of economic concentration in the meat industry. We have 4 companies that do 50 percent of the business, and we have 10 companies that do 70 percent. And if you have a tremendous volume of hogs like Hormel, you can afford to put in a couple of hundred thousand dollars, or some other amount, to have equipment for immobilization of hogs. But if you are just a little packer having all the problems that beset a small-business man today, you may find that the imposition of just \$5,000 or \$6,000 might be something that you could not even do. It is conceivable——

Mr. POAGE. I think it is perfectly true that we cannot make the same requirements of some of your members that we could expect to make of some others. I think there is no question of that. But it does seem to me that you ought to devise some method, something that maybe would not be as acceptable as the gas chamber, that your people could——

Mr. LILJENQUIST. I feel sure, Mr. Congressman, that the very threat of possible compulsion in this field is going to spur our industry along to make our best efforts to solve this problem.

Mr. POAGE. Not if you are able to sink into repose on the assurance that we have a law here that says you can have the next 29 years to study it. By that time you will all be out of business and the next generation will be in, and no one will get very much concerned about it.

Mr. LILJENQUIST. Well, let's look at it for a couple of years and take a look——

Mr. POAGE. Would you be willing to confine it to 2 years? Now I think we are getting somewhere. If you would be willing to look at it for 2 years, and say 2 years hence this becomes mandatory—I do not think you ought to be compelled to put these things in tomorrow, because you cannot, of course. It would put you out of business. But let us talk about a reasonable time in which you can do it.

Mr. LILJENQUIST. Let's develop a 2-year program for research and see what methods can be developed in that period of time.

Mr. POAGE. Now, would you be willing to say at the end of the 2 years you should then be required to comply with the rules prescribed by the Secretary of Agriculture as a result of his research?

Mr. LILJENQUIST. What I would say, Mr. Congressman, would be, let's in the next 2 years concentrate the attention of industry and Government on these humane methods. If we find them and they prove practical in some test plants, then let's give the industry a reasonable period of time to adopt them voluntarily.

Mr. POAGE. It has been 4 years since Hormel built their plant—

Mr. LILJENQUIST. All right, but they have never had a plant built for small pack.

Mr. POAGE. It has been 20 years since they built small plants in England—I believe 30 years. Now, they may have some bugs in them, they may not be applicable for a plant in Colorado, but on the other hand, I know that some kind of modification of those small operations can be made. But there has been no effort to adapt those plants that I can understand.

Mr. LILJENQUIST. Now, I think research is a field in which the Federal Government can legitimately operate. I think that they could develop a pilot plant for small operations.

Mr. POAGE. Well, research, of course, is just like God, home, and mother. Nobody likes to criticize it, but there are a lot of crimes committed in its name, nevertheless. It is just a blanket you put over your head and say that nothing is going on.

Mr. LILJENQUIST. We are not in a position in this industry to move forward on a compulsory program at our present level.

Mr. POAGE. Let's put a date on it at least. If you can agree with me now as to a date—and I will tell you frankly that I am not in favor of putting a date at next July 1; I know you cannot operate on anything of that kind. But what would be a reasonable date to make a compulsory program applicable?

Mr. LILJENQUIST. Well, as I said earlier, I would oppose as vigorously as I could a compulsory program based on our present knowledge of these methods. Until we can have some methods that we know will work, or are financially within the reach of small packers, let's have no compulsory program, but devote our attention on finding these methods, improved methods, through research.

And I think the Department of Agriculture should be asked and should be given some funds whereby they could put a task force on this problem.

Mr. POAGE. Didn't you ever belong to some kind of organization that referred every different problem to a committee?

Mr. LILJENQUIST. I was down in Texas 2 weeks ago and I heard someone say that if Moses had appointed a committee, the Jews would still be in Egypt. [Laughter.]

Mr. POAGE. Well, we are very much obliged to you, Mr. Liljenquist. I do not mean to make my questions particularly applicable to your organization. Certainly they are no more applicable to your group than to the others. Please understand that.

I would like, if I may, to ask Mr. Greenwald another question—if you do not object.

Mr. GREENWALD. No, sir.

Mr. POAGE. As a matter of information, what is the additional price on kosher meat? How do your prices compare with meat shipped in from New York by the big packing plants from Chicago?

Mr. GREENWALD. As opposed to what, as opposed to kosher meat?

Mr. POAGE. Yes.

Mr. GREENWALD. I do not feel qualified to answer that. I assume it is a few cents a pound, but I would not be enough of a technical expert on the market to know that.

Mr. POAGE. Who do you reckon we could get to give us that information? Is there anyone in this room who can tell us?

Mr. MYERS. Yes, sir.

Congressman POAGE. I am not going to say that on that I am a real expert and have statistics at my fingertips, but I did do some research into that and found that in New York City kosher meat sells at virtually the same price as chain store nonkosher meat.

Mr. POAGE. That is the impression I have been under.

Mr. GREENWALD. It does not work out that way, sir. It works out on the question of supply and demand as most other articles do.

For example, if the hindquarter market is down, the forequarter market goes up to average out the price. [Laughter.]

Mr. GREENWALD. During Lent, for example, when there is very little demand for nonkosher meat, the kosher price goes up. By the same token, if there is a terrific demand for kosher meat, the hindquarter price is obviously down. You very rarely get an even balance of the prices in the same position.

Mr. POAGE. Well, wouldn't you say that over the years, that your kosher meat brings 2 cents a pound more than nonkosher?

Mr. GREENWALD. It may. It may fluctuate within a penny or two.

Mr. POAGE. I think it is rather important for us to get some idea of how much economic loss is involved in following a particular method of slaughter. That was what this whole argument is about, what is the economic cost of slaughter.

Mr. MYERS. Congressman, if you can spare a minute, for that purpose and one other, I would like to—maybe it is presumptuous—I would like to explain something about the production of kosher meat, which I think is not widely understood, and probably not understood by the committee.

My principal point is that the greatest quantity of kosher meat is not produced by what most people think of as Jewish butchers. By far, the greater part of kosher meat sold in this country is produced by such firms as Armour or the Eskay plant up in Baltimore. And at the Eskay plant at Baltimore, which is one of the more commendable, well operated plants in this country, approximately 40 percent of all meat production is produced kosher, although obviously there is not, in the Baltimore market area of the Eskay Co., enough demand from the Jewish population to call for that production.

The reason for the excess production is twofold. One is that which has been stated by Mr. Greenwald, and the other is that the Eskay plant, in order to make sure that it has sufficient kosher production to meet fluctuations in the market, are quite deliberately produced as kosher meat beyond its reasonable expectation of demand. Because that which is not demanded by a kosher market can, nevertheless, be sold in a nonkosher market.

The fact is, then, because of this mass production of kosher meat in the usual packinghouse line, that there is no significant difference in the cost of the production. There is a difference where kosher meat is produced in a very small packing plant, doing only kosher production, but that is not because it is produced according to any particular ritual, but rather because of the economics of a small plant as contrasted with their large ones.

And if I may, I would like to add one more word—I do not know whether Mr. Greenwald goes often into the packing plants or to the killing floor, but he, as I recall it, said that it is required in the shehitah that the beef animal be turned with its shoulder on the floor, or words to that effect.

I have watched kosher production in large packing plants a very great deal, and I can assure Mr. Greenwald that many rabbis are approving, and many plants are producing, meat as kosher in which that is not at all the process. At the Eskay plant, for example, the process is that a perfectly conscious and active steer is shackled by a chain around one hind ankle, the shackling pin is opened on one side, and the steer is then hoisted while struggling to remain on his feet, and he hangs by one ankle, as much as a thousand pounds, before his throat is cut.

This is not at all as Mr. Greenwald described it. And I do not mean that he intended error, I mean only that not all packing plants are producing kosher meat as he has seen it.

MR. POAGE. Can you tell us if this Eskay plant has a different scale of prices for kosher meats and nonkosher meat?

MR. MYERS. In their wholesale market?

MR. POAGE. Yes.

MR. MYERS. No.

MR. POAGE. It is all the same price, is it?

MR. MYERS. Virtually, it is. There are differences in prices at times because, as Mr. Greenwald said, of relative fluctuations of the market. But there is no significant difference, and they have told me that for all practical purposes their pricing is identical.

MR. POAGE. Now, let me see if I am right on this, and I want Mr. Greenwald to check me, too.

I see there would be a difference, a time when there would be a difference, when the hindquarters would not sell as well. Therefore, to come out even, you would have to raise the price on the forequarters. What would the price on the forequarter be, the difference between that sold to the Jewish trade and that sold to the Christian trade?

MR. GREENWALD. Sir, if a plant did a good deal of kosher slaughtering, it would average out its cost. But if you were to kill a few steers, either all nonkosher or all kosher, your cost for kosher killing is naturally higher.

Mr. POAGE. Of course, I understand that. But you take a plant like this man mentioned in Baltimore, the Eskay plant, would they, as a practical matter, sell the forequarters at the same price, all of their forequarter meat at the same price daily, even if it is during Lent, or would they have two prices on the same cuts of meat?

Mr. GREENWALD. As far as we know, there has been a difference of price.

Mr. POAGE. Has not?

Mr. GREENWALD. There has been a difference of price.

Mr. POAGE. There has.

Mr. GREENWALD. There is a natural increased cost. Not only is this meat killed by a shohet, beyond that this meat is stabbed, a number of lead seals are applied on various parts, and this entails labor and material for which the price is added on to the cost of production, which is passed on to the retailer.

Now, a plant might, sir, take and spread its cost out over its entire production and not have a different price between kosher and non-kosher meat.

Mr. POAGE. As a matter of fact, would it add anything to its cost of the product, or would the packer cut it off of the producer's price?

Mr. GREENWALD. We have found that there is a price distinction between 2 stores buying the same meat if 1 bought kosher and 1 bought nonkosher, from the same producer.

Mr. POAGE. That is really the thing I wanted. Now, about how much is that?

Mr. GREENWALD. That, I would not say, sir. It might be 2 cents, it might be slightly more or slightly less. But there is a definite difference.

Mr. POAGE. Now, as to those costs, the rabbi who does that slaughtering must be paid some kind of a fee; how much does he get; a fee per head, or how is he paid?

Mr. GREENWALD. There are several methods. Either he is paid by the week or he is paid by the head.

Mr. POAGE. I see. The plant might just employ him as an employee?

Mr. GREENWALD. Yes, sir.

Mr. POAGE. Or might pay him by the head. About how much per head would they pay?

Mr. GREENWALD. I would not know, sir.

Mr. POAGE. Well, is it a substantial factor, or it is something—

Mr. GREENWALD. Well, it would be a substantial factor in a small producing company; it would be insignificant in one doing a larger job.

Mr. POAGE. It would not if it were, say, \$1 a head, it would not be insignificant at anybody's plant. If it were 10 cents a head, it would be insignificant in a small plant.

Mr. GREENWALD. The average plant has at least three people. It has the rabbi who does the supervising, it has the shohet who does the slaughtering and it has this person who affixes the tags. He is a plumberier. These are three separate and distinct functions. One, the shehitah attests that the particular carcass is kosher, and then the plumberier would attach the tags bearing the name of the rabbi attesting that this particular meat is kosher from that point on.

Now, of course, there is also an examination of the carcass. The mere fact of slaughtering kosher does not make the carcass kosher. In these plants two inspections take place, one from the Department of Agriculture and one from our religious authority who look for other things.

Some plants, for example, inflate the lungs. The slightest lesion on a lung would make that entire carcass nonkosher. And all these things are taken into consideration in fixing your cost of production.

Mr. POAGE. How much do you estimate they actually add to the cost?

Mr. GREENWALD. Your guess of 2 cents a pound might be more accurate than any I could hazard a guess on. I might assume that could be fair.

Mr. POAGE. We are very much obliged to you, because I had no idea whatsoever.

Is there anyone else to be heard today?

If not, the committee will, at a later date, hear Members of Congress who have not yet been heard, and will hear representatives of the Department of Agriculture.

And if there are individuals or organizations who have not had an opportunity to present their case, we will be glad to receive statements, written statements. There will be no further oral hearing other than, as I have set out, and that will be held at such time as we can conveniently work it in with the Department and the individual involved.

Yes, Mr. Myers?

Mr. MYERS. Mr. Poage, I have a question. Will proponents of the bill have an opportunity to offer written comment in rebuttal after you have had the further conference with the Department of Agriculture?

Mr. POAGE. I doubt it, because I am hopeful that we will move this thing along. I do not mean to preclude anybody, but just as the physical facts of life are, I hope that we may move along and get to actual consideration of the bill.

I do not want to set any deadline on anyone, but if you are too late, it will just be too late. We will receive any statements as long as it is practical to do so.

If there is nothing further, I want to thank all of you for the interest you have expressed in this and for your attendance. The committee will stand adjourned.

(Whereupon, at 4:55 p. m., the committee adjourned.)

HUMANE SLAUGHTER

FRIDAY, APRIL 12, 1957

HOUSE OF REPRESENTATIVES,
COMMODITY SUBCOMMITTEE OF LIVESTOCK AND FEED GRAINS
OF THE COMMITTEE OF AGRICULTURE,
Washington, D. C.

The subcommittee met pursuant to notice, at 10:10 a. m., in room 1310, New House Office Building, Hon. W. R. Poage (chairman of the subcommittee) presiding.

Present: Representatives Poage (chairman of the subcommittee), Albert, Matthews, Burns, Hill, Hoeven, and Harvey.

Also present: Representatives McIntire, Morrison, Miller (of California), and Dawson.

John Heimburger, counsel.

Mr. POAGE. The committee will please come to order.

We have here a statement of Senator Richard L. Neuberger that he wanted to testify on this bill, and it seems he has a conflict this morning, so he has sent a statement over here and asked that it be inserted in the record. Without objection, it will be so inserted.

(The statement follows:)

STATEMENT OF SENATOR RICHARD L. NEUBERGER, OF OREGON

I am appreciative of this opportunity to submit to the House Agriculture Committee a statement favoring H. R. 6509 which would require packing plants engaged in interstate commerce to use humane methods of killing animals. I believe that such legislation is long overdue. I believe that the overwhelming majority of Americans will applaud enactment of such a law.

The argument for humane slaughter legislation can be tellingly summarized in these three points:

1. Slaughter methods now almost universally used in American packing plants cause intense suffering and are grossly cruel.
2. Practical and economical methods of killing animals humanely are available.
3. It appears that the packing industry cannot or will not end the cruelty without legislation that will require all packers to act simultaneously.

I am deeply impressed by a statement on this subject by the General Federation of Women's Clubs, a federation of 15,000 organizations with more than 11 million members.

"All thoughtful persons recognize," the General Federation of Women's Clubs says, "that cruelty is an evil that should be eradicated from our society, not merely for the sake of animals but for our own good. We know that cruelty, whether to animals or to men, causes in the perpetrator a moral and cultural erosion that is harmful to the whole of society."

"Cruelty to animals in our slaughterhouses has been thus far permitted only because, it is argued, cruelty is cheaper than decency. The immorality of the argument is obvious."

Because I believe with the General Federation of Women's Clubs that cruelty is impermissible in a moral Nation, I urge support of H. R. 6509 even if enact-

ment would cause some monetary loss to packers, livestock producers, and consumers of meat. There can be no price tag on cruelty.

In urging support for this measure I do not want to appear dogmatic about the particular detailed provision of each section. The overall objective which I support is that of humane slaughter which is spelled out in the simple title of this bill. I would not be so brash as to say how the technical aspects of the bill should be phrased or implemented. That I am prepared to entrust to those who have the requisite knowledge, skill and experience in the technical phases of animal slaughter.

I sometimes think that a century or two hence our descendants on hearing of our accepted practices in slaughterhouses will look back upon the twentieth century with the same mingled feelings of dismay, abhorrence, and incredulity we experience on reading of convivial crowds at a public execution 200 years ago. It is the voices of the Humane Society of the United States, the American Humane Association and the General Federation of Women's Clubs, and many other similar groups who have awakened the American conscience to these contemporary cruelties. Traditionally the humanitarian measures that have one by one become our great body of social legislation have followed the voices of persistent protest which stirred to life a national conscience.

The tender attitudes of a generation conditioned by Beautiful Joe and Black Beauty and the tears shed over Ernest Thompson Seton's animal martyrs were in sharp contrast to their failure to hear the slaughterhouse squeals of pain.

We have taken for granted that the eighth amendment of our Constitution (VIII) prohibits infliction of cruel and unusual punishment upon our citizens. Today the national conscience is asking why we subject our animal friends to such cruel and inhumane treatment? These animals are not only our friends, but the foundation of our abundant agricultural economy. In my opinion, there is no reason why meatpackers cannot slaughter meat animals by humane methods. If the farmers of this Nation humanely treat their farm animals, throughout the period of their growth, and handle them to avoid injury and fear, why is it necessary to subject these animals to such primitive and cruel treatment for the few moments before they are killed and transformed into meat and meat products?

Mr. Chairman, I have talked with many of the men who work in slaughterhouses, both in my own State and elsewhere in the Nation. These men, so far as I have been able to observe, are among the strong and zealous opponents of some of the inhumane methods presently employed in slaughterhouses. They rebel against inflicting pain upon helpless animals, which form the meat products of the Nation and thus support the jobs on which these men are dependent. But the workers in slaughterhouses are not in control of those plants. They did not design the cruel front end of the production line. They cannot institute new methods of slaughter unless their employers so dictate and decide. Once or twice I have had members of the Butcher Workers' Union observe to me, "We realize that cruel ways of slaughter will only hurt the meat industry and promote vegetarianism among Americans. We believe that every possible humane method of killing should be used by slaughterhouses, just as soon as it is developed."

I have emphasized this point, Mr. Chairman, because it is my firm and definite opinion that the men working in our slaughterhouses are, in the main, among the foremost advocates of adopting every available humane device for cushioning and quelling any possible pain inflicted upon the animals, which are slaughtered to stock the tables and markets of America.

Listen to these words from a constituent who wrote just a few weeks ago:

"You have mentioned the cruel butchering methods in packingplants which I know to be true; but have you ever been in a turkey-killing plant? I can assure you that it is not a pretty sight. The turkeys are taken from the coops, hung on hooks by both feet and started head down on an endless track which takes them first to the sticker who has a long narrow blade, sharpened on the end, which he rams down their throats, cutting a blood vessel. Blood shooting from their mouths, their wings flapping wildly they roll on a few feet to the pickers who start pulling off their feathers long before they are dead. Many, many thousands of birds die this way every year to make Thanksgiving and Christmas dinners for people who little know, or care less, how the birds suffered. Surely some humane way could be found to butcher these birds. Any move toward the humane treatment of dumb animals is all to the good."

A letter by Sam Taylor, of Troy, N. Y., to the Labor Press published in Portland, Oreg., presents a formidable statement in support of humane slaughter

legislation. With your permission, Mr. Chairman, I would like to include this letter at this point in my report.

"To the Labor Press:

"I am writing you about humane slaughter.

"Two major packers, the George A. Hormel Co., who anesthetize hogs by passing them through a carbon dioxide tunnel, and the Oscar Mayer Co., who stun cattle with a captive-bolt pistol, and a few smaller packers are the only ones in this country who give a humane death, without suffering, to meat animals. Almost 7 million animals are killed every working day in our slaughterhouses and with the exception of those slaughtered by the above packers they all have a terrifying and cruel death.

"Knockers sometimes deliver a dozen blows with their heavy hammers before cattle are stunned into unconsciousness, often smashing their skulls and noses to a pulp and knocking out their eyes, causing absolutely unnecessary suffering and terror. They are shackled with heavy chains around a hind leg, which sometimes breaks the leg if it is a heavy animal like a hog; they are then hoisted into the air and their throats cut and they are left hanging there, suffering untold agony, to bleed to death.

"Sometimes hogs that haven't been struck properly and are therefore slower to die are thrown into steam vats while still conscious, and sometimes the feet of smaller animals are cut off before they lose consciousness and death releases them from their terrible suffering.

"Humane slaughter legislation would require that all livestock and poultry be rendered insensible by mechanical, chemical, or other means to be rapid, effective, and humane. Such legislation, when enforced, would save, the packers \$50 million annually, a loss they sustain through bruising and mutilating meat animals.

"All who would help should write to their Senators and Congressmen at Washington demanding that humane law be enacted to force all slaughterhouses to use some form of an anesthetic before each kill."

Do these painful methods of bludgeoning, shackling, and sticking of our livestock need to continue to be used in the United States? Are these archaic methods necessary in a country that has produced such magnificent technological advances and obtained such an opulent standard of living?

Cannot the engineers and scientists employed by the meatpacking industry develop humane methods for the slaughter of livestock? The answer is that a few of the progressive packers have developed and are using methods that are not only humane but have proved to be more efficient than those commonly employed.

The George A. Hormel Co. developed in 1953 anesthesia for hogs. Hogs are put under with a dose of carbon dioxide before being shackled and stuck. The Meat Inspection Division of the Department of Agriculture has approved this method.

In 1953, the Hormel Co. began experiments which have produced a technique which does away with the shackling of hogs.

Other progressive meatpackers have adopted humane techniques for the killing of cattle. The captive-bolt pistol has long been available to the industry. Yet only a small minority of packers have made use of this inexpensive method.

Many modern and humane killing methods have been developed and adopted by some progressive meatpackers which have lowered costs and provided higher profits to these meatpackers. These practices have reduced bruising losses, increased labor efficiency, reduced the danger to workers as well as providing a humane death to livestock. Yet the majority of meatpackers are reluctant to adopt these humane methods which are readily available to the industry. That the vast majority of meatpackers have not installed humane methods available to them at very low cost is the major reason why I feel that this legislation is needed.

Why is there opposition to this bill? I think that it has been ably demonstrated that the processes of humane killing developed and put into effect by the more progressive members of the meatpacking industry have reduced costs and increased dividends to stockholders of their firms. I am inclined to believe that the representatives of meat packers oppose this bill because of their habitual opposition to all Federal and State legislation which may in the slightest degree restrict their operations even though it may be of vital interest to the public welfare. Strange as it may seem, this is an old pattern of industrial reflex action.

The National Provisioner of March 1955 stated editorially: "During the next few years the meatpacking industry may face a controversy with which it will

be difficult to deal from the standpoints of logic and reason. It may be forced to talk aspects of its business from which understandably, it has shielded the public."

That editorial echoed the troubled conscience of a great industry. In conclusion, Mr. Chairman, it is my opinion that the meatpacking industry has been remiss in the development and adoption of humane methods of slaughtering the Nation's livestock. The meat inspection laws promulgated by the Department of Agriculture under laws passed by the Congress of the United States specify the necessary height of the rail in which animal carcasses move through slaughtering plants. We have also passed laws to prohibit the inhumane cruelty to animals on their way to market. I can see no reason why the Congress should not specify humane standards of killing livestock and poultry, in order to comply with the moral standards of decency and humaneness which are so much a part of the great heritage of the United States.

In conclusion, Mr. Chairman, allow me to offer two observations. First, over the past several years research study on this subject has provided demonstrable results on which legislation may be logically and soundly based. Second, the experience of the progressive and energetic minority among the packers who have introduced to the production line the new techniques required for humane methods of slaughter demonstrates its applicability in plants of any and all sizes. Adoption of humane methods should not be delayed by any requirement of a large capital outlay. I understand a captive-bolt pistol costs only \$120, the new Remington stunning instrument costs only \$200 and even the smallest packing plant can now put in a carbon dioxide tunnel that will process 60 hogs per hour for \$3,500.

Mr. Chairman, one would think that on the grounds of enlightened, humanitarian performance or on the more practical grounds of economy and efficiency of operation only support and affirmation would be heard in the plea for adoption of humane slaughter legislation.

Mr. POAGE. Mr. Dawson, of Utah, has been present on several occasions to testify, and we have simply asked him to stand aside while we listen to those from more distant parts. I don't think there is anybody here from more distant parts than Utah this morning. Mr. Dawson, we will be delighted to hear from you.

STATEMENT OF HON. WILLIAM A. DAWSON, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF UTAH

Mr. DAWSON. Mr. Chairman, I want to express my appreciation to the committee for the courtesy and consideration that they have given—not only the Members of Congress, but also the advisers from outside—on this matter, and particularly for the attitude which the chairman and other members of the committee have expressed. To me this is one of the biggest problems that is facing the country. To many people it doesn't seem big, but I believe to many millions of people in this country it is a real and a pressing problem and one that deserves the attention of this great committee.

When I was first approached on the subject of humane slaughter a year ago, I was reluctant to sponsor legislation compelling an industry to change its traditional method of operation. I felt then—as I feel now—that voluntary compliance to the laws of humane decency was preferable to compulsion. As a result, I determined I would not ask legislative action until I was thoroughly convinced there was no alternative.

Since that time, Mr. Chairman, I have made a personal investigation of present slaughtering techniques. I have also reviewed and studied hearings on similar legislation held by the Senate during the 84th Congress. This independent investigation has convinced me that legislation is the only solution. I am convinced that the packing in-

dustry—with the exception of all too few progressive companies—is gripped by the inertia of tradition. That without legislation, I am convinced, cruel, wantonly cruel, practices against millions of animals will continue to be standard procedure.

I do not intend to go into lengthy descriptions of present methods of slaughter in general use in this Nation. But I think it is safe to say that not a Member of this committee or of Congress would condone these methods if they witnessed them being practiced on one dumb animal. I submit that corporate cruelty—if a ready alternative is available—is a fit subject for legislative action.

In requiring packinghouses to adopt humane slaughter methods, we are not forcing an industry into unexplored territory. Humane slaughter has been compulsory in Switzerland since 1874. England adopted a similar law in 1933. Other nations requiring humane slaughter are Norway, Netherlands, Scotland, Ireland, Finland, Sweden, New Zealand, and Denmark. In each of these countries, humane slaughter has proved itself to be economically feasible. But we need not go to Europe to find examples of how humane slaughtering techniques contribute not only to the moral well-being of packinghouse workers, but to the industry's economic well-being also.

Companies in the United States have found that the immobilization of hogs by carbon dioxide has saved more money in the reduction of damaged meat than was spent for the installation of the new equipment. Individual packers have adopted new captive-bolt pistols to replace the uncertain sledge as a means of stunning cattle before slaughter. All of these devices are available today at price that even the most modest of packers engaged in interstate commerce can easily afford.

For example, the captive-bolt pistol, already proved practical in about 20 American plants, costs only \$120. Cartridges cost less than 2½ cents per animal, and I believe a witness who testified here a few days ago testified that it was even less than 2½ cents per animal, if I remember his figures correctly, for the stunning devices.

Last year, the president of Seitze Packing Co., which uses the pistol instead of the hammer, testified that its use saved the company money. In England, the captive bolt-pistol has been proved effective in slaughtering hogs and smaller livestock.

In reviewing the hearings held on similar legislation by the Senate last year, I was struck by the fact that the witnesses for packinghouse industry agreed that present slaughtering techniques leave much to be desired. I was impressed and heartened by testimony to the effect that thousands of dollars had been spent by the industry in attempts to find improved slaughtering methods that were economically feasible. I am delighted to learn that the industry now recognizes that it cannot drag its feet; that the public is demanding a change.

All of this is encouraging. But I submit, Mr. Chairman, that there is no need for further study. The research necessary has already been done. The mechanical means for humane slaughter have already been developed. Let me add at this point that I am not impressed with the fact that the Department of Agriculture needs additional funds to permit it to make a further study. As a matter of fact, the Department has already been making studies of this prob-

lem, and it seems to me that the bills which have been presented to this committee and to the other body authorizing a study are totally unnecessary and simply being brought forth as a means of sidetracking the main investigation of this problem.

Last year, sponsors of this legislation presented figures on the cost of adopting humane slaughter methods. When asked to comment on these costs, which were modest indeed—the spokesman for the meat-packing industry said:

Accurate estimates of the cost of installation require a reasonable period of planning and study. To date, the industry generally has not prepared such careful estimates, and hence we do not have comprehensive figures indicating costs of installation. With what information we do have, however, the cost of installation can be appreciably more than the cost of equipment.

That was a statement of the packing industry.

I submit, Mr. Chairman, that that is a mighty weak answer from an industry that maintains that it has been spending considerable sums on research into this very subject for nearly 30 years.

Whether or not this legislation is approved this year—and I hope that it is—the packinghouse industry has now been put on notice. Let members of the industry recall their fight against the Federal Meat Inspection Act in the early part of this century. Let them reread the arguments they made to Congress against that law which grew out of public revulsion against the shoddy, unsanitary conditions that prevailed in a portion of their industry. It is to be fervently hoped that by reviewing their attitude then toward minimum sanitary laws—and comparing it with their attitude now against minimum humane slaughter proposals—that they will profit by experience.

An industry that contributes as much as theirs to our fine standard of living should be in the forefront of this fight to end cruelty.

In closing, Mr. Chairman, I would like to pay tribute to the many individual citizens whom I have had the pleasure of working with on this legislation. Opponents of this legislation have come to me and characterized these fine people as “sentimentalists and impractical dreamers.” To my mind, they belong with the other so-called sentimentalists and dreamers—the ones in the past who were so misguided as to believe that child labor could be abolished, or that madness was a subject for medicine not mockery. It is a distinct pleasure to work with them sponsoring this legislation to outlaw mass cruelty to dumb animals—a cruelty that is indefensible because it need not continue.

I urge the committee to vote approval of legislation that will silence forever the tortured screams and bellows in the slaughterhouses of this Nation.

Mr. POAGE. We are very much obliged to you for what I think is a very fine statement. We appreciate it.

Mr. DAWSON. I don't profess to be an expert on all these problems, but if the committee does have any questions that I might answer, I will be happy to oblige.

Mr. POAGE. Are there any question?

Mr. Dawson has just made a very fine statement with regard to this bill. Thank you, Mr. Dawson, we are very much obliged to you.

Now, we have Congressman Miller, of California, I believe.

Mr. ALBERT. Mr. Chairman, I would like to say that I served on the Committee on Post Office and Civil Service with our distinguished colleague when I first came to Congress. I am happy to see him with us this morning.

Mr. MILLER. I may say, Mr. Chairman, I might have been senior to the distinguished Democratic whip on the Committee on Post Office and Civil Service, but I have paid for that seniority since he has reached his present position.

Mr. POAGE. You may proceed.

STATEMENT OF HON. GEORGE P. MILLER, A REPRESENTATIVE IN CONGRESS FROM THE EIGHTH DISTRICT OF CALIFORNIA

Mr. MILLER. I am Congressman George P. Miller, of the Eighth District of California.

Mr. Chairman, I haven't a prepared statement. I regret that I haven't one. I want to subscribe fully to what my colleague from Utah just told you, and anything that I think I could say or prepare would be duplication of what he has so well said because the arguments are very few, but they are very potent in this case.

We are living in the 20th century. It is time that we change some of the methods that have been in existence since the memory of man runneth not to the contrary and bring them into harmony with the conditions in the 20th century.

I am conscious of the fact that the desire for this legislation goes far beyond that of some of the people who have been most active in pressing it. A member of one of the unions in the stockyards in San Francisco called me up while I was home and told me of their problems, and how hard it was to keep men, to get men to perform certain of the tasks that they had to perform; that it was time that changes be made.

Let me remind you that the gentleman from Utah spoke of sentimentalists and dreamers. Well, 180 years ago it was the sentimentalists and dreamers that established the form of government under which we live and of which we are so proud, and maybe we need the sentimentalists and dreamers at an age when we become rather material.

So I have nothing that I can contribute beyond that which you know, other than to say that I am sincerely for this type of legislation. I think that it is long overdue. I think that the savings that will come out of the improved methods of slaughter will more than justify the minimum expense that will be necessary to put it into effect, and that we are entering an age where all of our foodstuffs must be saved and preserved, and that the economies behind the bill are just as sound as the sentiment that is behind it.

Mr. POAGE. I wonder if you could give us a little information about the situation on the west coast because it happens to be the one section of the country where this committee, as far as I know, has never observed any of the slaughtering of meats?

Mr. MILLER. I am not too familiar with them. All that I know is that I have had people in the industry around San Francisco—that it, people who work in the industry—voluntarily come to me and complain.

For instance, there is one technique—and, frankly, I have never seen it. I have never cared to go look at it. I am not a sadist type—where they have to shackle the legs of hogs, put a chain on them, before they are hoisted up, right before they are slaughtered.

Mr. POAGE. That is a common practice throughout the United States. That is what is known as the wheel.

Mr. MILLER. It is a very common practice.

Mr. POAGE. I think that is the cruelest of all of the slaughtering practices.

Mr. MILLER. The man who had done this told me that among the workmen themselves it is the one job that they all dreaded, that they all did not like, that they all tried to get out of, and the people who do that and who are engaged in this are a good deal like the old Irish woman, you know, the fisherwife who used to skin the eels, and somebody said, "Aren't you ashamed? Look at the pain you cause these poor fish when you skin them." She said, "Don't worry about that. They get used to it by and by."

The people who work in those kinds of jobs get used to it after awhile, but even after awhile it gets a little bit too much for them.

Mr. POAGE. We have had the presentations by the packinghouse workers in favor of the improvement of these slaughtering conditions, and I am sure that feeling is shared in many parts of the country. I don't know whether you have any unique practices on the west coast.

Mr. MILLER. I don't imagine there are any unique practices. I tell you I have never been around the industry too much because I remember as a young man, I was a civil engineer, and one of our jobs one time we had to run some lines very near to a packinghouse in the neighboring town to where I lived then. My fellow rodman and I—we were both juniors—saw some of the practices that were taking place, and he swore that thereafter he was going to be a vegetarian. I don't know whether he ever lived up to it or not, but he was so disgusted with what he saw that he said from there on out he would take an oath he would never eat any more meat and he would become a vegetarian. Maybe that is the way with me. I am afraid to go near them too much.

Mr. POAGE. Mr. Hill.

Mr. HILL. Congressman Miller, I am glad to see you at this meeting, and I know we all appreciate the fine work you are doing in the House and the way you represent your constituents on the west coast.

I would like to ask this question for my own information. If you have studied this bill, what effect will this bill have on the small packinghouse operator that just operates in a community and kills both poultry and livestock and cattle and hogs, chiefly in our area, especially for local people for their iceboxes.

Now, he should be controlled, too. Some of those little yards at home sometimes are not inspected and they are not kept in the kind of shape that you and I would like to have them. What do you do about that in your own area?

Mr. MILLER. In my own area I don't know that there are any, but in the adjacent districts there are some slaughterers. In my own area I am not conscious of any. There may be 1 or 2 small slaughterers, but if there are they are so small I am not conscious of them, but I would like to say this: I base my statement on this premise that

whether an animal is being killed by Swift & Co. or whether it is being killed by Joe Smith, who runs the small plant right outside of the small town, that animal is subject to the same pain and the same hysteria when it goes to be slaughtered.

Now, there are lots of ways. In my own work with the fish and game we knew that killing game by bow and arrow was perhaps the most humane way of doing it. When you shoot a deer, you might mutilate bones and cripple it or shoot it right through the belly—the usual term among hunters is to gut-shoot it—where the deer would be in great pain; whereas if you could succeed in putting an arrow through it, it would eventually bleed to death and bleed without a great deal of pain. It goes off into a coma.

So these things—and I don't pretend, Mr. Hill, to know too much about the details of slaughtering or the details of this bill, nor have I cared to perhaps study it too much. I put the bill in because I believe that something should be done along these lines. I believe that the time is long past where it should have been done, and I think that if the slaughterers of this country begin to know that Congress is taking a look at it, the very fact you are holding this hearing today, whether this bill ever becomes law, will drive some of them into perhaps reexamining their position, and we will make some progress. That doesn't mean I don't want to see the bill go out of the committee with a favorable report, but I think that is the way we make progress in this country.

Mr. HILL. If I understand you then correctly you say all slaughtering—and I am not sure you are not correct—should come under this bill?

Mr. MILLER. I don't see where you can have a little bit of sin. If it is bad for one it is bad for all.

Mr. POAGE. May I interject right there this committee has no jurisdiction over what States do in intrastate commerce, and we can get ourselves involved in an interminable discussion of what the State of California or Texas should do, a matter over which we have no more authority than over what is done in Canada. The committee is going to stay on the subject of interstate commerce over which we do have jurisdiction and responsibility.

Mr. MILLER. I do know, Mr. Poage, because I have some friends who are in the wholesale meat business, that the standards set by the Federal Government eventually become the standards set by the States. For instance, you can't sell meat to the Federal Government although it may be slaughtered and dressed and consumed in any one State unless you comply with the regulations of the Department of Agriculture and have Federal inspection or the equivalent of Federal inspection.

Now, the law in that respect has a lot of weaknesses in it, as you know. I know a slaughterer or wholesale meatman who can't sell meat for consumption by enlisted men of the armed services because his plant can't pass Federal inspection. This is intrastate now, but he does sell steaks—

Mr. POAGE. I don't know, Mr. Miller, but I wonder if we can't stay on the subject of the bill.

Mr. MILLER. You introduced the thing. I am trying to point out the effect that this has on intrastate operations. This man can sell

meat to the officers' club. Now, in order to broaden his base he has had to go in and enlarge his plant, because he realizes he can do more and better business if he meets the high standards, and I think substantially, Mr. Chairman, as long as you were raising the question of staying on it, I have tried to illustrate and tell you this in illustration, that if we do it on the Federal level, I think we will eventually force it on the State level. That is why I am interested in seeing the bill passed.

Mr. POAGE. Are there any further questions?

If not, thank you very much, Congressman Miller.

We have here another author of the bill. I am glad to hear from you, Mr. Hiestand.

STATEMENT OF HON. EDGAR W. HIESTAND, A REPRESENTATIVE IN CONGRESS FROM CALIFORNIA

Mr. HIESTAND. Thank you, Mr. Chairman.

My name is E. W. Hiestand, Member of Congress from California. I appear before you with perhaps a little different point of view than you may have heard yet.

My bill, H. R. 3049, has been reintroduced at this session with modifications into it which I can go into a little later. My purpose in introducing the bill, however, gentlemen, may be different from most people's. I have, as most of us do, a feeling for animals, a feeling against unnecessary and barbaric brutality, and all that sort of thing, but a number of years ago, long before I ever thought of running for Congress, there occurred an incident which shocked me over a lot of years, and maybe some of you recall it.

When a circus was in winter quarters, a giant gorilla, about 300 pounds, broke through or got out of its cage and got into the cage adjoining—of a giant puma. There ensued a life and death struggle. Because of the large investment in each of the animals the circus did not stop that fight until it had gone on for some 8 hours, each of the giant animals tearing the other one to pieces, and, of course, it was a shocking thing.

Finally, at the time one of the gorilla's arms was torn off, they finally put a bullet into one of the animals, but the fact of that thing being allowed to go on for 8 hours, I didn't get over for some time. It seemed just a shock to sensibilities.

Now, we read a lot of articles about the 90 million hogs and the 90 million lambs and the 20 million beef cattle killed by inhumane methods, and these articles are causing a shock to human sensibilities. People have written every member of this committee and to me and all of us about their shock on this thing, and, gentlemen, I take the position that that shock to human sensibilities is not good. It is not good for the American people. It doesn't exist in a number of other countries, as you gentlemen know. That was the purpose in putting in the bill.

We can do it legally, because, as the chairman has just expressed, it is in interstate traffic and the bill provides very much the same provisions that other bills do, except that in this year's bill I have taken out the matter of an advisory board. I see no reason for that. It should be, in my judgment, entirely in the hands of the Secretary. He can make his rules. In the final paragraph it has a certain flexibility

which will allow him to make an exception so that it won't be any undue hardship.

The modern methods for killing, for which you have had plenty of evidence, the captive bolt and the carbon dioxide chamber, those things are all well known to you gentlemen, and I believe that we have a bill here that is simplicity itself and could be approved.

I just wanted to voice my opinion of perhaps a little different and a little bit added reason why we should take action of this kind. I could go on at some length, but you have had all of the evidence, I am sure.

Mr. POAGE. We are glad to have you with us and present your views. Are there any questions by any of the members?

If there are no questions, we are very much obliged for both your interest in the bill and for presenting your reasons.

Mr. HIESTAND. Thank you, Mr. Chairman.

Mr. POAGE. Are there any other authors?

Congresswoman Martha Griffiths is, of course, the author of the first of these bills, and she has a statement she wanted to insert. She couldn't be here. Without objection, it will be inserted as part of the record.

(The statement is as follows:)

STATEMENT OF CONGRESSWOMAN MARTHA W. GRIFFITHS, FROM MICHIGAN

Mr. Chairman and members of the committee, my name is Martha W. Griffiths and I have the privilege of representing the 17th District of Michigan in the House of Representatives.

Let me first express my sincere appreciation to you for holding these hearings and for giving me the opportunity to present my views in support of H. R. 176 on humane slaughter. These hearings represent a tremendous gain for humane-minded people all over the country, and I am confident that this first step in the legislative process will lead to favorable action on this proposal by the Congress.

Support of this legislation is increasing daily.

Mine was the first bill on the subject ever to be introduced in the House of Representatives and the interest it has created in almost every part of the Nation has been amazing.

WHY COMPULSORY HUMANE SLAUGHTER LEGISLATION IS NEEDED

Over 30 years ago there was a strong movement throughout the civilized nations of the world for the institution of humane methods of slaughter. As a result of this movement the Netherlands, Norway, Scotland, Ireland, England, and parts of France, Germany, and Austria and other foreign nations enacted compulsory humane slaughter legislation. In the United States the meatpacking industry agreed to voluntarily institute humane methods of slaughter. In 1929 the American Meat Institute, the trade, research, and educational association of the meatpacking industry set up a special committee to develop improved methods of slaughter which would—

First, be considered more humane than present practice.

Second, be practical and economical in regular plant operations.

The efforts of the industry as a whole throughout the years indicate little or no real effort to solve the problems of developing improved methods of humane slaughter. Only in isolated plants has real progress or substantial results been achieved.

It appears obvious that the meatpacking industry has not chosen to proceed aggressively and conscientiously to voluntarily institute humane methods of slaughter and having had over 25 years in which to do so I believe one can assume that they never will institute such methods voluntarily.

Legislation in this area is certainly long overdue. Daily, we attempt to lead nations in matters of foreign affairs, often emphasizing and stressing the fact that we are a nation guided by humane principles. Such reasoning must ap-

pear hollow to people who long ago recognized the need for compulsory humane slaughter legislation and did something about it.

ECONOMIC FACTORS

(1) *Reduction in accident rate*

Besides the humaneness of the thing, a compelling reason for modernizing slaughtering methods is the fact that accidents would be drastically reduced. The various humane methods—carbon dioxide or other gas, the captive-bolt pistol and others would materially reduce the hazards present in our plants.

The latest figures of the Department of Labor show that accidents occur at almost double the rate in slaughterhouses as for all industrial activity combined. The average accident rate for all manufacturing in 1955 was 12.1 per million man-hours worked. For slaughterhouses the rate was 18.9 per million man-hours worked.

Preliminary figures from the Department for 1956 show a significant increase in the accident rate in slaughterhouses. For 1956 the accident rate jumped to 19.1 (first 9 months) per million hours while the average for manufacturing was 12.1 (first 9 months).

Here is a table setting forth these statistics for quick reference:

Accident rates per million man-hours

Year	General manufacturing	Slaughterhouses (includes slaughtering and dressing only, not processing)
1953.....	13.4	20.0
1954.....	11.9	19.4
1955.....	12.1	18.9
1956 ¹	12.1	19.1

¹ Estimates by Department of Labor for 1st 9 months of 1956.

These safety figures should not be construed as an adverse reflection on the industry or labor unions involved. Both labor and management are credited with making a continuous strong effort to reduce accidents but it should be emphasized that present methods of slaughter are hazardous and I submit the introduction of humane methods—whereby immobile, unconscious animals are substituted for kicking, screaming animals—would materially contribute to a reduction in packinghouse accidents. Lost man-hours, injury, and medical expenses are of benefit to none. Humane slaughtering methods can reduce this unnecessary economic loss.

(2) *Reduction in bruised and damaged meat*

Apart from the compelling considerations to accord humane treatment to the animals involved, the use of humane techniques in slaughtering could have important and beneficial economic consequences for the meatpacking industry. Perhaps the most important would be the reduction in bruised and damaged meat. It is presently estimated that as much as \$50 million worth of meat is rendered unsalable annually because of damage coincident with the slaughtering process. This loss could be reduced substantially if humane methods were employed. An unconscious animal is easy to work with, presents no problem in the subsequent killing process, and thus the prospect of loss in dressing is reduced to an important degree.

Secondly, it should be noted that meatpacking companies would be entitled to the generous depreciation rate of the Internal Revenue Code in charging off the cost of new installations necessary to accomplish humane slaughtering.

Under the 1954 Revenue Act this depreciation can be accomplished at twice the rate previously allowed.

Enactment of this legislation requiring new installations would not place the packing industry in any less favorable position than other industries which are subject to legislation and regulation. All public carriers, for example, are obliged to maintain safety devices called for in law. These costs are a part of doing business.

The same circumstances would obtain for the packing industry under the proposed legislation. Furthermore the legislation gives the industry a voice in the final determination of the new methods to be used. There would be no arbitrary decision involved or enforced.

HUMANE SLAUGHTERING METHODS AND COSTS

One of the most frequently voiced objections to this legislation is the statement that advocates of humane methods do not agree on a specific technique to be used. This is certainly not a valid argument. The legislation would establish in law the fact that a humane system of slaughtering shall be practiced in those humane slaughtering plants whose products move in interstate commerce. The legislation reserves to the industry and the Secretary of Agriculture the right to determine the best humane method to be employed. Different animals present different slaughtering problems, and it is proper that the law allow flexibility to meet every need.

While it is difficult to estimate the total cost of converting the packing industry to humane methods, some useful data is available.

The captive-bolt pistol and the new Remington stunning instrument cost less than \$200. The electric stunning equipment is relatively inexpensive.

But perhaps the most significant advance in humane slaughtering in this country was the perfection of an immobilizing unit for hogs which is now in operation at the Austin, Minn., plant of the George A. Hormel Co. This method using carbon monoxide gas to render the hog unconscious before sticking was pioneered by Hormel engineers and has been in successful operation 3 years on a commercial scale.

Mr. L. W. Murphy of the Hormel Co. service division spoke before the American Meat Institute in 1952 and pointed out that the above method has the complete approval of the Department of Agriculture and he made these other significant observations:

"We are sure the method can be applied to other packinghouse livestock. * * * the hog was presented to the sticker so that he could operate at arm's length, accurately, safely, unhurried, and with cleanliness to himself."

Mr. Murphy pointed out with emphasis that the Hormel Co. has effected substantial savings in operating costs and has brought about improved working conditions. Mr. Murphy concludes:

"They alone (these savings) more than compensate us the cost of our years of research."

Incidentally, it might be noted that this company has reaped immeasurable benefits in good will because of this forward step.

This installation is concrete proof that humane methods can be combined successfully with practical business considerations. Several other smaller packing concerns have also adopted humane methods in recent years. These installations would seem to demolish the contention that it cannot be done.

The idea of protecting our animals from unnecessary pain and suffering is certainly not new and unique. It is, indeed, interesting to note that man at one time sought and received statutory protection for his animals before the same protection was given to human beings. In 1866 the first anticruelty legislation was passed in the United States. This legislation made cruelty to animals—such as the man beating his horse on the street—punishable by fine and imprisonment. At this time there were no statutory laws to prevent cruelty to children. Parents and guardians in the United States had the legal right, under the common law, to treat their children as they saw fit. The only deterrent to vicious and cruel treatment of children was a moral obligation not to do so.

The Society for the Prevention of Cruelty to Animals was constantly beset with cases of cruel treatment to children but the laws at the time provided no remedy for such actions. Then one day the case of Mary Ellen was brought to the attention of Henry Bergh, a leader in the anticruelty movement. This little girl was daily the victim of viciously cruel treatment by her guardians. They kept her chained to a bedpost, dressed only in a thin and dirty chemise, unchained her only to do housework, and punished her regularly with a big leather whip and with fierce prods of scissors. Mr. Bergh could stand it no longer.

He went to the State legislature and got the 1866 act—an act better to prevent cruelty to animals, amended—so that in 1874 it prohibited acts of cruelty to "every living creature"—and in November of 1874 the courts declared this to include children and thereby the Mary Ellens were given statutory protection

against cruel and inhumane treatment. Soon specific legislation to prevent cruelty to children was enacted, and a society to prevent cruelty to children established.

In closing let me say that progress in any field has not come easily or willingly on the part of those persons, groups, or business interests affected. But when it can be demonstrated—as indeed the weight of evidence does in humane slaughtering—that a beneficiary result will be obtained for all concerned, we cannot, in good conscience, delay this legislation any longer.

It is my earnest hope that humane slaughter legislation will be acted upon favorably during this session of Congress. I am certain that you will find an overwhelming majority of our people in agreement.

MR. POAGE. Now, are there any other authors of bills?

If there are no more, we have asked Dr. Clarkson to come back and be with us this morning.

Dr. Clarkson, we appreciate your coming back down to supplement your previous statement.

**STATEMENT OF DR. M. R. CLARKSON, DEPUTY ADMINISTRATOR,
AGRICULTURAL RESEARCH SERVICE, UNITED STATES DEPARTMENT OF AGRICULTURE;
ACCOMPANIED BY DR. A. R. MILLER,
DIRECTOR, MEAT INSPECTION DIVISION, UNITED STATES DEPARTMENT OF AGRICULTURE**

DR. CLARKSON. Mr. Chairman, I am glad of the opportunity to make a few additional comments.

I am M. R. Clarkson, Deputy Administrator of the Agricultural Research Service, and I have with me Dr. A. R. Miller, Director of the Meat Inspection Division.

In our previous statement we expressed the Department's support of H. R. 5820 and opposition to House bills 176, 2880, 3029, 3049, 5671, and 6422. The hearings have focused attention on several points that should be mentioned in relation to the Department's position on these bills.

The bills containing mandatory requirements for the adoption of certain methods of slaughter determined to be humane would apply not only to those slaughterers regularly engaged in the slaughtering of livestock and poultry for the sale of meat, meat products, poultry, and poultry products in interstate and foreign commerce, but also to those slaughterers whose distribution of products is strictly local, but who are regularly engaged in purchasing livestock or poultry in interstate or foreign commerce for purposes for slaughter. The latter group handle by far the smaller number of livestock and poultry. However, since they are, for the most part, the smaller operators, they outnumber those who sell products in interstate commerce by 2 or 3 times.

Of the nearly 5,000 slaughterers believed to be covered by this legislation, it is estimated that 3,600 would be buying on markets that include livestock and poultry moving in commerce, but whose distribution of products would be strictly local, within the State of origin. Accordingly, these latter slaughterers would not come within the jurisdiction of the Federal Government in enforcing such laws as the Meat Inspection Act and the pending poultry products inspection legislation.

To extend the Federal supervision to these plants would constitute a considerable extension of the enforcement powers of the Department

into areas where local jurisdictions are usually applied. The Department does not believe that the Federal authority should be superimposed upon such local control or substituted for it.

The Department can best serve the interests of the public in the humane handling of livestock and poultry, whether such handling involves interstate or local slaughterers, by devoting its resources to identifying and developing those methods that give full consideration to humane principles and to working for the adoption of those methods found to be effective and humane. Although the Department has worked for many years with industry and humane groups to facilitate the development and adoption of improved methods, the effect of enactment of H. R. 5820 would be to place the Department in a new position of leadership and responsibility, with a clear mandate from the Congress to utilize its resources in the accomplishment of the purposes of the bill. This would not be a static program aimed only at evaluating facilities and methods currently suggested, but would be a continuing growth of effort with the compulsion of congressional action, public opinion, organized humane groups, and the ingenuity of State and Federal scientists to stimulate the work. As in all efforts of this kind, the development and testing of current ideas would stimulate new ideas.

The several modifications of the captive-bolt idea that have been described are in varying degrees of development in the slaughtering plants to work out the kinds of practical difficulties that always accompany such developments. The ideas are good and our observations indicate that fully practicable devices will be perfected and widely distributed in the plants.

The CO₂ method of immobilizing hogs before slaughter has been found practicable in several plants. Observations of its use appear to show advantages from the standpoint of labor requirements. But really, no one, to our knowledge, has authoritatively evaluated the effects of this procedure from the standpoint of humane treatment of the animal. As far as one can observe the animal entering and leaving the device, it appears acceptable. We hope it is humane, but we do not know. Research is needed to supply the answer.

The electrical method of stunning animals has been discussed extensively and has been widely advocated. Competent observers have expressed the opinion that the spasms accompanying the electrical stunning may not in all cases be immediately accompanied by unconsciousness. They have pointed out that while the desired result might accompany the use of a proper balance of voltage and time, in the practical application of the method by packinghouse workers this fine balance may not always be acceptable.

In many cases of electrical stunning undesirable hemorrhaging occurs in the muscular portion of the carcass. From the standpoint of inspection the hemorrhaging that occurs in the carcass and internal organs causes confusion. These confusing marks can be distinguished from evidences of disease, but this takes additional time in each case to be sure. Our inspection procedures are geared to the high-speed operations of American plants and we must take the position that the intrusion of artificially induced situations which create uncertainties in the inspection system must be avoided.

The Department sincerely believes that the enactment of H. R. 5820 would provide an orderly and effective approach to this problem, and

that it would enable the Department to take its proper place in the total programming of the humane handling of animals. It will be recalled that H. R. 5820 deals not only with the question of rendering animals insensible before slaughter, but also with the full problem of the development and use of improved methods for the humane handling and transporting of livestock and poultry.

A lack of authoritative information has hampered local humane interests from moving forward in this field. H. R. 5820 would provide the means for obtaining such information while leaving local people in control of its application.

Mr. POAGE. Dr. Clarkson, what authority does H. R. 5820 give you that you don't now have?

Dr. CLARKSON. Mr. Chairman, it would give us specific authority that we now have in general language.

Mr. POAGE. Then if you wanted to do this, you could do it now, couldn't you?

Dr. CLARKSON. Yes, sir.

Mr. POAGE. Then I don't see where we need the Dorn bill.

Dr. CLARKSON. I think there is a very important point there, Mr. Chairman. Working with humane methods of handling livestock has only been a part of our research and other programs dealing with management, nutrition, feeding, transport. The humane aspects have always been a part of it, but we have never engaged in programs of research of any magnitude whatever aimed directly at the purpose of developing better methods of humane handling, and the passage of this legislation would put the Department in that position of responsibility in that field.

Mr. POAGE. To tell you that you must carry on a program that you could have carried on but didn't?

Dr. CLARKSON. Yes, sir.

Mr. POAGE. It seems to me that leaves us about where we have been for a long, long time. Of course, I know that you don't accept the evidence that there is such a thing—I mean, you don't say that you know that there is such a thing as humane slaughtering. I don't suppose anybody else knows either. Unfortunately not many men or animals come back after they have been slaughtered, so there isn't much evidence about what the effect of certain practices actually is. We have a great deal of opinion about that, and I suppose we always will, and I suppose it is on that theory that the animal can't come back and report his sensations that you say that you can't say that any of these methods are humane. Is that about what you come to?

Dr. CLARKSON. Well, Mr. Chairman, we say that through pain-taking research we think that criteria can be developed that will give an authoritative answer to those questions, but as it stands right now, we do not have those authoritative answers.

Mr. POAGE. I don't know how you could ever get them by the test you have already set up. You say there is considerable doubt about whether the gas chamber method on hogs actually results in humane slaughtering or not.

At least one thing we know, regardless of what we know about the effect of the gas chamber, regardless of what we know about the death of the hogs, we know that it don't break their legs and bring them up out of a screaming mass of other hogs, and we know that it doesn't carry them along for a long period of time on a wheel, and we

don't think that it bleeds them to death while perfectly conscious. We know we don't do those things with a gas chamber.

We don't know what the feeling is when the hog inhales that carbon dioxide gas. We know what it is with human beings because I have inhaled it, and you have, and many others have, and so we assume it affects the hogs somewhat like it does a human being in that respect, but I don't suppose we will ever know just how we affect these animals because they can't talk to us and tell us. We only have to correlate our human experience with a rather comparable situation for the animal and having done so, we at least seem to have a reasonable assumption—or at least a probability—on which we can work. It is possible we will never have that exact scientific proof that you demand, but we do have scientific proof that we are not breaking their legs, that we are not creating the terror which wheels creates, that we are not dragging a fully conscious animal through a long process as that wheel does at present. We know those things, don't we?

Dr. CLARKSON. Oh, yes.

Mr. POAGE. It seems to me we would have to assume, it seems to me even your scientific mind would have to assume, that the Hormel method is an improvement from the humane standpoint on the old wheel that is used in most of the large packinghouses.

Dr. CLARKSON. The aspects which eliminate the shackling of the live hog are obviously an improvement, Mr. Poage.

Mr. POAGE. I should think so.

Then I think we should be in the position to go ahead on some regulations which are obviously an improvement, while we do the other study. I don't suggest for a moment you ought to stop dead and say, we will never learn anything from the moment this bill is passed on. I think we will, but why shouldn't we prescribe some regulations now on the basis of what is obvious and then try to solve the things that are not obvious, rather than say we will do nothing until we sit back and get all of the answers.

You don't have all of the answers in your sanitary work, do you? You don't know exactly what heat does, and you don't know just exactly what the presence of certain bodies does toward the deterioration of meat, do you?

Dr. CLARKSON. Obviously, as in all human endeavors we change as improvements are made.

Mr. POAGE. We didn't wait until you had all of the answers before we prescribed sanitary regulations, because we haven't got them all now. It seems to me what we are being asked here to do is sit back and say we must wait until we know all of the answers and when we have got them, we are going to pass some legislation, but we are not going to act on anything until we have got all of the answers. Isn't that what H. R. 5820 does?

Dr. CLARKSON. I can't agree that is what it does, Mr. Chairman. The point of the mandatory legislation is primarily that animals be rendered insensible by some method approved by the Secretary before they are bled, such as in the use of the CO₂ gas involved in the rendering of the animals insensitive.

The matter of whether or not they are hung is also contained in those bills, but the primary point is to prescribe methods by Department action that would say how they are to be made insensi-

ble, and with the present stage of our knowledge I don't see how we could say that subjection of an animal to CO₂ gas is any more humane than the use of the knife with its quick thrust. It comes down to that really.

Mr. POAGE. The use of the knife where?

Dr. CLARKSON. With the quick thrust of the knife; whether that is any more painful than the use of CO₂ gas or causes any more apprehension and terror on the part of the animal is something we don't know.

Mr. POAGE. Most of the bills accept the proposition that if you use the knife for the purpose of killing the animal that that is fine. You can accept that as a humane method. The method of the Jewish rabbis, all of these bills agreed to accept that, as I understand it, as a humane method. Where you attempt merely to stick a knife in the conscious animal and let him bleed to death, it seems to me that is another thing, too.

Dr. CLARKSON. In the ritualistic method of slaughtering beef, it is a matter of cutting his throat and letting him bleed to death. In the current methods of killing cattle it is a matter of sticking the animal so that the main arteries of the animal's body are quickly severed and it very quickly bleeds to death.

Mr. POAGE. That is true of cattle, but, again to get back to hogs, there is no effort to kill hogs, is there?

Dr. CLARKSON. I beg your pardon?

Mr. POAGE. The ordinary packinghouse doesn't attempt to kill a hog with a knife does it? It attempts to let him bleed to death. It attempts to stick him so he won't die from the knife but rather that he will bleed to death. Isn't that what the ordinary packinghouse does today?

Dr. CLARKSON. It is exactly the same proposition, that the severing of the great blood vessels will cause an immediate outrush of blood so that consciousness is lost very soon although the animal's heart continues to beat, and the animal's muscular reactions continue, and the blood is thereby forced out of the body. Exactly the same thing happens in the ritualistic method, and I would assume from this legislation that is regarded as a humane method. That was the reason I was making this point. Then we would be called upon to determine whether those methods are humane, whether they are as humane as the application of CO₂ gas, or whether they are as humane as the application of electricity which causes tremendous electrical spasms. Most people think that results in immediate unconsciousness. There is enough doubt expressed by people in Europe who have worked with it to cause one to wonder.

We know that a slight misapplication of the voltage and current will cause such tremendous spasms as to actually break the animal's back. We do know that all of those things have to be taken into consideration.

There are research proposals that have been discussed with the University of Minnesota. There are some that have been discussed with the University of Oklahoma that we think might lead to a method of determining whether or not the animal feels pain during these obvious physical contortions or whether it does not, and that, of course, is the point of this whole matter. The contortions are

of no meaning if it is like the chicken that has its head cut off, but still jumps all over the yard. Obviously there is no sensibility in such an animal. No one knows with the meat animals whether there is sensibility after the application of these methods, but still the Secretary would be in the position of saying you must use this method rather than that method.

Mr. ALBERT. I would like, first of all, to see if we can get to any area of agreement.

Now, on the matter of including stockyards that buy on the intrastate market, would you be for the bill if we excluded those and limited it only to those who sell on the interstate market?

Dr. CLARKSON. No, sir; we do not. We believe that our position ought to be one of determining authoritatively the facts in this situation and then with the encouragement and leadership which we must assume under the passage of any legislation by the Congress to facilitate the accomplishment in the plants of the use of improved methods.

Mr. ALBERT. But you would recommend, if the committee decides to report the bill, that it limit its jurisdiction?

Dr. CLARKSON. No, sir; I would not recommend that. I was merely pointing that out. It is up to the Congress as to how far they want this to extend, and as has already been brought out in conversation here, humane handling in an intrastate plant is just the same as inhumane handling in an interstate plant, and this would bring in the Federal power in reference to livestock that has moved in commerce. I have no preference on that, but I merely wanted to point it out.

Mr. ALBERT. You have pointed out objections to the electrical stunning of animals. Would you be for the bill if that method of stunning animals were eliminated?

Dr. CLARKSON. The bills do not mention, or perhaps some of them do mention, electrical method.

Mr. ALBERT. You specifically hold that to be an inhumane method until you decide by scientific research that it is humane, if I understand you correctly. Again, what I am getting at is, can we reach any grounds on which we can agree on a bill? We have had a lot of testimony here on the effect on people of the squeeling of hogs and the activities of animals as they go through long slaughter lines. Would you be in favor of at least going far enough now to make it possible for men to work in these plants without having such shock to their sensibilities? Would you go that far now?

Dr. CLARKSON. You are talking about enforcement legislation?

Mr. ALBERT. Yes.

Dr. CLARKSON. I do not believe so, Mr. Albert. We must take notice of the fact that the humane handling of livestock has been developed in this country over the years as a local proposition. A great deal has been done and accomplished. I have seen a great deal accomplished in this same packing industry that comes in for so much criticism here.

I readily admit and would hope that there can be improvement at a great deal faster rate than has been the case in the past in this very act of slaughtering. The personal ingenuity of those who have worked on these methods has shown the way. The public appeal that has come to the Congress in this regard has shown that they want

some leadership in this field. We have felt that we should not heretofore engage in extensive programs of research aimed at methods of humane slaughter. Now we feel we should if the Congress so says.

Mr. ALBERT. Let me ask you this: Would you favor a simple bill that would abolish the shackle and wheel and sticking of hogs as they go through a long process that causes a lot of squealing and excitement on the part of the animals; would you favor that?

Dr. CLARKSON. Well, I would have to think about that. Obviously to eliminate that wheel is one of the objectives. Whether to do it by congressional compulsion is the right way is really the question.

Mr. ALBERT. That, of course, is a question for Congress.

I have been under carbon dioxide and felt no pain. Of course I don't know whether the scientific world knows whether that is true of every other human being in the world or not. I don't know whether it is true of every other animal in the world or not, but if we operated on the basis of not being able to make progress except on a scientific determination of such things we would never have abolished the whipping post because there might never be a scientific way of finding out what the effect of such punishment was on human beings in the long run. The Department apparently wants only a study bill, which I would be willing to support along with one of these other bills.

Mr. HARRISON. Will the chairman yield?

Do I understand that one of the problems here is how are you going to meet your requirements of this legislation in defining what is humane and what is not? Is there a definition in these bills which defines humane? I don't recall.

Mr. ALBERT. There is no definition.

Mr. McINTIRE. Upon whom rests the responsibility?

Mr. ALBERT. The Secretary of Agriculture would have the responsibility.

Mr. McINTIRE. But isn't the Department through Dr. Clarkson pointing out some of the problems, and I think quite appropriately, that he is pointing up some of the problems which the legislation places on the Department. I think we are facing up to an administrative problem here, which is the position of the Department.

Mr. ALBERT. I don't think the Department is any less likely to know what is obviously inhumane than anyone else. The question which I have put here regarding the shackling of hogs and putting them on a large wheel that turns over and carries them through a long line is prima facie inhumane. I don't think anybody needs any help in determining that that process is brutal and that it goes on in American stockyards and only in American stockyards among the great humane nations in the world.

Mr. McINTIRE. Would the gentleman yield?

Again, I don't think the problem is in the extremities of practice. I think the problem is the responsibility of defining the practice and drawing the line as to the requirements.

Mr. ALBERT. We will leave that to the Secretary of Agriculture insofar as it is necessary.

Do you think we should abolish the pure food and drug laws, because they haven't figured out exactly what contamination is in all instances?

Mr. McINTIRE. Absolutely not, but I do want to raise the point.

Mr. ALBERT. What is the difference?

Mr. McINTIRE. I think that there is a problem here and the Department has appropriately brought it to the attention of the committee that there is a problem of definition here which we are placing on the Department of Agriculture and that problem is a very real one under this legislation.

Mr. ALBERT. I was trying to get down to particulars in the most basic form possible in suggesting the elimination of one type of slaughter, whether or not there was any question about that being humane, and we got no answer from the Department on that proposition. That is all.

Mr. HARRISON. Might I ask, will you yield, sir?

Mr. ALBERT. I yield, sir.

Mr. HARRISON. Dr. Clarkson, is there more research going on at the present time with reference to this CO₂ work, and is there some movement on the part of packers to use this more at the present time now? We do know, because we have observed in some of the packing-houses, and particularly Hormel, there are packers adopting that same method, and are they reluctant to, and if so, why?

Dr. CLARKSON. There is a great deal of interest in it. There are several packers that have active plans, and there are a large number that are discussing with the suppliers and checking with the present operators. They like the labor saving effects of it. They like the elimination of the wheel. They like the quietness with which the thing moves along. They have to consider the total effect on their plants. They are wondering what is going to be the result of congressional consideration of legislation, whether under the legislation that it would be or would not be an approved method of slaughter, whether it would have to be changed after they have put it in. I think that they are trying to learn and are improving their methods of handling the CO₂ gas so they don't get too much or too little. Too little leads to a good deal of excitement and the animal coming out of unconsciousness before it is stuck. Too much can result in death of the animal, in cyanosis and practical suffocation, and of course, both have to be avoided.

Mr. HARRISON. Do you think that the packers were of the opinion that just because of the humaneness of the CO₂ that they would take that method and adopt it without legislation? Am I to understand correctly that the Hormel people think it is economical to use the particular method over the old method, and because of the economy and because of the humane aspects that there would be that tendency for all packers to adopt that same method?

Dr. CLARKSON. A great deal has been said about the need to make these various methods economical and practical and a great deal has been said in favor of the practicalities and economies of the CO₂ method. We would predict that once the air is settled that there will be a very considerable movement toward the use of CO₂.

Mr. HARRISON. Do you have any indication that that movement is on at the present time, or are they just waiting to see what is going to happen here?

Dr. CLARKSON. We know of quite a few packers who are actively considering the installations with their architects.

Mr. HARRISON. Do you think it is necessary that we have legislation, if that were declared to be the humane method, to see that all of the packers adopt it?

Dr. CLARKSON. I think that if it were shown that this is a humane method that we would in a short period of time have a very great adoption of it through the plants.

Mr. HARRISON. Do you think legislation would be necessary in order to bring that about?

Dr. CLARKSON. I don't think legislation is necessary or appropriate; mandatory legislation, I mean. I think legislation which would settle the question and which would give the Department the responsibility of working these things out through research and the responsibility to determine authoritatively whether a method is or is not regarded as being humane in the opinion of the Government would have a great effect.

Mr. HARRISON. Has this same CO₂ method been applied or tried in the case of cattle the same as it has with hogs, and if so, what has been the result?

Dr. CLARKSON. There have been individual animals subjected to CO₂ from time to time, and we have during the past few months subjected some to CO₂. It is a long way from being worked out from the practical standpoint.

Mr. HARRISON. That is, it doesn't seem to offer a solution?

Dr. CLARKSON. Not in the current state of our knowledge anyway. I wouldn't say that it does not for the future. It might very well be the preferred method. I have no way of guessing at it.

Mr. POAGE. Mr. Hill wanted to ask a question.

Mr. HILL. Just one question, Dr. Clarkson. With the fine type and kind of veterinarian hospitals you have developed clear across these United States, you aren't going to give the committee the impression that you don't know how to render an animal unconscious? The second thing is this, we have one of them in our own town, and I have seen them operate on dogs and cats, and I know full well the cat had no feeling when it was operated on or the dog either. Now, my question: If we should figure out through the brains and ability of this subcommittee a time limit during which you might come to a definite conclusion about your investigation as to how to render these animals unconscious when we were going to butcher them, how much time would you need in the light of the investigation and the information you already have? It shouldn't take too long. Now, what would be your estimate of when you could be ready to say here is the way to kill these animals and put them to sleep for good? I think you can do that before too long a time. What is your estimate?

Dr. CLARKSON. Mr. Hill, we would estimate that in a couple of years of effort we could make a great deal of progress in this area. This is like any other area of study, however, that as you make progress you develop lines toward more progress, and I would hate to see us make this static so that a certain method which is developed within a certain time or which is now developed must then be the method that is used from here on. I think one of the witnesses that was before the committee the other day mentioned that that had turned out to be a difficulty in one of the foreign countries where a certain method was prescribed, and now it is found they would like to change that method, and they are having to go through their legislative body. No doubt they will get it done, but it is one of the difficulties with making it static according to the current information.

Under H. R. 5820, the Department is compelled to report back to the Congress, and that report should contain not only information as to what has been accomplished, the successes as well as the failures of study and the successes and failures of implementation in the plants, but also with recommendations for the future.

Mr. HOEVEN. Dr. Clarkson, is H. R. 5820 a Department bill?

Dr. CLARKSON. No, sir; it was put in by Congressman Dorn. He did call me on the phone and asked if we could supply language and we did so.

Mr. HOEVEN. He did not introduce the bill at your request?

Dr. CLARKSON. No, sir; it was a drafting service.

Mr. HOEVEN. As I understand it, the Department hesitates to define what is humane slaughter; is that the rub?

Dr. CLARKSON. That is part of the rub, and the other is that we are recommending against the Department getting into this new broad field of enforcement which is to supersede the local enforcement agencies.

Mr. HOEVEN. If the Congress assumes the responsibility of what defining humane slaughter is, would you be satisfied?

Dr. CLARKSON. If I understand what you mean, if the Congress passes a bill which says that—

Mr. HOEVEN. That humane slaughter is so and so.

Dr. CLARKSON. And that such a method must be used, we will enforce that bill to the best of our ability to enforce it.

Mr. HOEVEN. H. R. 3049, page 3 reads as follows: "That the term humane method of slaughtering shall mean either of the following," and then it lists A, B, and so forth. Do you object to such provisions?

Dr. CLARKSON. Yes, sir.

Mr. HOEVEN. What is the objection?

Dr. CLARKSON. If I follow you, you would amend this language.

Mr. HOEVEN. That is right.

Dr. CLARKSON. And you would say certain methods are humane and must be used.

Mr. HOEVEN. We might possibly include those enumerated in the bill. There might be other items included.

Dr. CLARKSON. Obviously, as you mentioned awhile ago, the Congress would be taking the responsibility for saying what is humane, and we would enforce it to the best of our ability.

Mr. HOEVEN. And you would prefer to have the Congress define what is humane slaughtering rather than have the Department decide?

Dr. CLARKSON. Under the current situation I don't know that it is a preference, Mr. Hoeven. We just think that it can hardly be done accurately.

Mr. HOEVEN. If Congress assumes that responsibility and defines it, then the Department, of course, will enforce whatever law is enacted.

Dr. CLARKSON. Obviously, that relieves the Department.

Mr. ALBERT. Of course, you don't want, and we don't either, for us to do something and call it humane when it isn't.

Mr. HOEVEN. I asked Dr. Clarkson specifically whether there was any objection to incorporating those provisions into the definition of humane slaughtering.

Mr. ALBERT. He said he wasn't sure that was humane, if I understood him right.

Mr. HOEVEN. Someone must determine the definition. If it isn't the Congress or the Department, who is going to determine it?

Mr. HILL. Now, there are things we know are not humane. I can think of one and that is the picking of turkeys as a small boy. Now, you know why they picked them the way they did. They said the shock of sticking a knife through the upper brain of the turkey and picking it as it is kicking, you shock all of the feathers loose. Once in a while the turkey fell down, and the turkey went around three-quarters or half picked alive. I don't suppose they do that any more, but that was ordinary custom years gone by, and that is a typical example of what we are trying to cure, I think, here.

Mr. POAGE. I am told that they use in a great many poultry plants now some kind of process whereby they drive a pin in at a certain portion of the brain and it causes the feathers to come off.

Mr. HILL. It doesn't cause them to come off. It unsets them.

Mr. POAGE. It unsets them, I should say, rather than come off.

Do they use any of that?

Dr. CLARKSON. I think what you have reference to is a so-called electrical knife.

Mr. POAGE. But they don't sever the head, as I understand it?

Dr. CLARKSON. No, sir.

Mr. POAGE. Is that supposed to help them pick the feathers?

Dr. CLARKSON. It is supposed to be a rapid and effective method of either killing or rendering the bird insensible.

Mr. POAGE. Does that loosen the feathers?

Dr. CLARKSON. And to ease or unset the feathers, as you suggest. What the bird's reactions are, I don't know.

Mr. BURNS. Isn't it a fact that in preserving the meat, the fact that meat has to go in the cooler and be cooled in water afterwards, you don't want the head severed because of the effect of the water getting into the inner part of the animal spoils the meat? Its preserving qualities are destroyed, isn't that right?

Dr. CLARKSON. I can't directly answer that Mr. Burns. There are practices of that kind. Just what the purposes are, I don't know.

Mr. ALBERT. We don't.

Mr. POAGE. It is against the law in the State of Texas to put birds in water. We think it is about the most filthy method of sending fowl to the market that has ever been devised. It is against the law to put them in water as a cooling agent from the State standpoint.

Are there any further questions of Dr. Clarkson?

If not, we are very much obligated to you, Dr. Clarkson, and I believe that that concludes all of those that we have promised to hear on this bill. We haven't overlooked anybody, have we?

If there is anyone that does care to file an additional statement at the present time, we will be glad to receive them.

If there is anybody who cares to file a statement even as late as this morning, we will be glad to receive them. If there are, please leave them with the clerk before we leave. If there is not, the committee is going to go into executive session.

Mr. FRED MYERS. We would only like you to remember that the European countries who are using the humane way could be copied so easily. That in itself is proof that it works very well.

Mrs. MARY McCORD THRASHER. Of course, you are familiar with the fact that many other countries have methods of humane slaughter of varying types.

Mr. POAGE. We can't open up and go into another hearing, because we simply don't have the time, but we will be glad to receive any statements that anybody wants to file this morning. We want to get this record in and completed and try to take some action as quickly as possible.

The committee will now go into executive session. We appreciate the attendance of all of our advisers.

(Whereupon, at 11:20 a. m., the subcommittee went into executive session.)

(The following statement of Mr. Aaberg and additional data have been submitted to the subcommittee:)

STATEMENT OF HERMAN C. AABERG, PRESIDENT OF LIVESTOCK CONSERVATION, INC.,
CHICAGO, ILL.

Livestock Conservation, Inc., is a national nonprofit educational and research organization incorporated under the laws of the State of Illinois. Its principal office is located in Chicago with regional offices at Kansas City, Omaha, Sioux City, and South St. Paul.

The purpose of Livestock Conservation, Inc., is to promote practical and proper methods of livestock management pertaining to losses which reduce the economic value of livestock, meat, milk, and related items. To achieve this goal Livestock Conservation, Inc., through its national and regional staff and through its active committees develops and carries out effective national programs for improved livestock handling and the control and prevention of those diseases and parasites which cause economic losses to the livestock industry.

The overall committee setup includes:

1. Strong national committees of each segment of the entire livestock industry from producer to processor, coordinated by having each committee chairman make up the program committee of the organization.
2. Regional committees directing the local area program of each regional office.
3. Action committees in States, at markets, in processing plants to direct State, market, and processing plant livestock loss prevention programs.

This work is participated in and supported by every segment of the livestock industry including service and allied organizations. The list of members supporting Livestock Conservation, Inc., embraces several hundred individuals, corporations, and associations of livestock producers and feeders, both rail and motor carriers of livestock, livestock marketing agencies, livestock order buyers, livestock markets, livestock processors, livestock insurance companies, banks, veterinarians, feed manufacturers and dealers, milk companies, equipment companies, merchants, farm and livestock publications, pharmaceutical companies, humane and animal protective associations, and others.

The organizations and individuals which comprise the membership of Livestock Conservation, Inc., represent close to 90 percent of the production of meat animals in the United States; a majority of the milk production of the United States; and approximately 80 percent of the federally inspected slaughter of meat animals.

In addition Livestock Conservation, Inc., has the active support of and participation in its program of numerous public and quasi-public educational and research organizations including several branches of the United States Department of Agriculture; that part of the United States Department of Health, Welfare, and Education supervising vocational agriculture instruction and the United States Public Health Service; the Future Farmers of America; the National Committee on Boys' and Girls' Clubs Work; the Association of Land Grant Colleges and Universities; the United States Livestock Sanitary Association; the American Veterinary Medical Association; the American Medical Association; virtually all State experiment stations, agricultural colleges, and extension services; many State departments of agriculture, and others.

An affiliated and integral part of Livestock Conservation, Inc., is the National Brucellosis Committee, which has spearheaded the current accelerated program for eradication of this dread disease.

The scope of the program of Livestock Conservation, Inc., is well outlined in the attached program leaflet, *More Meat and Milk* (submitted as exhibit H), adopted shortly after the organization of Livestock Conservation, Inc., in 1951 as a merger of the National Livestock Sanitary Committee and the National Livestock Loss Prevention Board, both of which organizations dated back to the early twenties. This program was prepared by a committee headed by Dean H. H. Kildee, of Iowa State College, now retired. Although changing times have shifted the emphasis somewhat from quantity to quality and efficiency the general objectives of the organization remain unchanged.

The methods of organizing and carrying out this program are outlined in five task force leaflets (exhibits B, C, D, E, and F). These are essentially being followed today in the work of carrying out the objectives of the organization, both in the active programs now underway and those being currently developed.

Some idea of the scope of the work and how it reaches into all segments of the livestock industry can be gleaned from the summary of the proceedings of the 1957 annual meeting of Livestock Conservation, Inc., as reported in the *National Provisioner* for February 1957 (submitted as exhibit G). Here you will see evidence of the concern of all branches of the livestock industry and related interests in livestock safety, health, and welfare.

Livestock Conservation's interest is both humane and economic: Humane because safe handling of livestock is simply good animal husbandry; economic because mishandling of livestock, whether due to rough handling or through failure to use methods of preventing and controlling livestock diseases and parasites is costly to every segment of the industry from producer to consumer.

Handling losses, although important, are but a relatively small part of the huge livestock loss total from all causes. This is partly because livestock producers, carriers, and handlers have an innate sense of appreciation of the fact that they are handling live animals and that living things should not be abused; and partly because the economic loss is more readily seen and appreciated in cases of mishandling than are the insidious attacks of parasites and disease. This is borne out by the livestock loss estimate contained in the *Livestock Conservation Handbook* published last year for the 4-H and FFA members carrying livestock projects.

Certainly more work is being carried on under the general sponsorship of Livestock Conservation, Inc., and its cooperating agencies in the field of handling livestock than in the field of parasite and disease control and prevention. The chief reason for this, as mentioned above, is that livestock people above all are human beings and are motivated by humanitarian instincts as well as by economic considerations.

There is but one conclusion that can be drawn from this recital of the work in livestock loss prevention, which is sponsored nationally by Livestock Conservation, Inc., and that is that the good old American tradition of self-help is here manifesting itself in its finest form. Through this nonprofit, public service, educational and research organization the entire livestock industry has mobilized and financed itself to tackle a common problem—the reduction of livestock losses. Government help is only sought and requested to further research programs and to carry the ways and means of preventing losses to all the industry through its educational areas—the extension service and the schools.

Losses that may occur during slaughter are being tackled in the same way as other livestock losses—through the active development of educational and research programs of those interests directly concerned with these problems. All of them are actively participating in the overall program of Livestock Conservation, Inc., on all livestock losses, including the losses that may occur immediately before, during and after slaughter.

We in Livestock Conservation, Inc., believe that humane slaughter, like other phases of our program, is just good animal husbandry. We do not feel that this problem has been thoroughly explored and that we have all the answers as to humane methods. Our experience makes it very clear that not enough information is available on what is really humane in slaughtering processes.

SUPPLEMENTAL STATEMENT OF JOHN C. MACFARLANE, DIRECTOR OF THE LIVESTOCK
CONSERVATION DEPARTMENT OF THE MASSACHUSETTS SOCIETY FOR THE PRE-
VENTION OF CRUELTY TO ANIMALS

I, John C. Macfarlane, director of the Livestock Conservation Department of the Massachusetts SPCA, 180 Longwood Avenue, Boston, and as a citizen of the United States, respect the privileges guaranteed to all religious beliefs under our Constitution and Bill of Rights. I don't believe any attempt should ever be made to abridge these rights and privileges. However, as a Christian, the cutting of the throat of a living conscious animal at best is abhorrent and such procedures should not be termed a humane method of slaughter.

SUPPLEMENTAL STATEMENTS BY THE HUMANE SOCIETY OF THE UNITED STATES

The Humane Society of the United States submits supplementary comment on pending humane slaughter legislation, dealing with these points:

1. Religious ritual slaughter;
2. Provisions for a committee to advise the Secretary of Agriculture.

1. RELIGIOUS RITUAL SLAUGHTER

This society specifically recognizes the right of followers of any religion to practice the rites of their faith. We oppose any formulation that could possibly be construed as an invidious reflection on any religion. We do not believe the author of any of the pending bills intended any such reflection but, to prevent any chance of an undesirable inference, we recommend the language with which protection for religious rites has been provided in H. R. 3029, H. R. 5671, H. R. 6509, and H. R. 6422.

It should be carefully noted that no act in the handling of an animal prior to actual slaughter is a part of the ritual of slaughter in any religion. It is possible, therefore, to protect animals against cruelty in shackling, hoisting, or casting without impairing the freedom of any religion.

Section 2 (b) of H. R. 3029, and similar provisions of some other bills, would provide that much needed elimination of some of the worst cruelties of the packinghouse killing floors. In this respect, H. R. 176 and similar bills are deficient.

If any humane slaughter law is enacted, it should include the full protection for animals that is offered by sec. 2 (b) of H. R. 3029 and the other bills enumerated in the third paragraph of this memorandum.

2. COMMITTEE TO ADVISE THE SECRETARY OF AGRICULTURE

We do not recommend legislative creation of a committee or commission to advise the Secretary of Agriculture, as proposed in various forms by H. R. 176, H. R. 6422, and some other bills. We prefer the form of legislation envisioned in H. R. 3029.

An advisory committee may, we think, be a cumbersome instrument in the administration of the proposed act. It is not suggested in any pending bill that an advisory committee have actual power to determine what methods of slaughter are humane; the proposed function is merely advisory. We suggest that the Secretary of Agriculture is free to seek advice without empowering legislation and that the Secretary might feel more uninhibited in seeking advice from a variety of sources if the law does not, at least by implication, limit him to seeking advice from a select list of groups or persons.

If an advisory committee is to be created by law, however, we favor the language and substance of section 4 of H. R. 6509.

In a hearing held by the Livestock and Feed Grains Subcommittee on April 12, Dr. M. R. Clarkson, speaking for the Department of Agriculture, opposed enactment of legislation that would make adoption of humane slaughter methods compulsory.

As several Congressmen remarked during the hearing, Dr. Clarkson's objection to such legislation seemed to stem chiefly from a doubt about whether carbon dioxide and electrical currents, used as anaesthetizing or stunning agents, are genuinely humane. Dr. Clarkson argued that the Secretary of Agriculture

might find it difficult to certify these methods as "rapid, effective, and humane" without further study.

We wish to call these three points to the attention of the Congress:

1. There is conclusive scientific evidence that both carbon dioxide and electric currents are humane when appropriately used for the intended purpose;

2. In any event, other methods of making animals insensible to pain are available and neither Dr. Clarkson nor any other witness has questioned the fact that they are humane;

3. Further, every pending bill on this subject provides a waiting period of at least 2 years before any packer must comply with the law and in this period the Department of Agriculture surely could determine what methods of stunning or anaesthetizing animals could be certified as humane by the Secretary of Agriculture.

Representative Poage commented, during the hearing of April 12, that not many men or animals "come back" from any such experience as is undergone by animals put through a packinghouse carbon dioxide tunnel or subjected to electrical stunning before being shackled and bled. Congressman Poage was making a pertinent point and making it tellingly, but it is important to note that tens of thousands of human beings have undergone carbon dioxide anaesthetization and have experienced anaesthetic electric shock in treatment for mental illness. They have "come back" to tell about it. And the universal testimony is that both carbon dioxide and electricity, so used, are painless.

The Congress may wish to know that humane societies, both here and abroad, financed scientific studies of these problems before legislation of this kind ever was proposed.

For example, the Universities Federation for Animal Welfare, a British organization whose membership is restricted to members of the faculties and undergraduate bodies of British universities, sponsored a comprehensive investigation of electric stunning of animals. The study made use of electrocardiograph and electroencephalograph techniques to determine precisely when an animal ceased all response to pain stimuli. The findings, widely publicized, supported all earlier evidence that electric stunning is humane.

In this country, both the Humane Society of the United States and the Animal Welfare Institute have financed other studies, conducted by the Veterinary College of Michigan State University. It is significant that Michigan State University, following these studies, has itself adopted electricity as the method of humanely stunning animals that are slaughtered by the Veterinary College for university dining halls.

We suggest that the Congress may safely rely, in this matter, upon studies that have satisfied the responsible and reputable humane societies of the whole world.

CHICAGO, ILL., May 1, 1957.

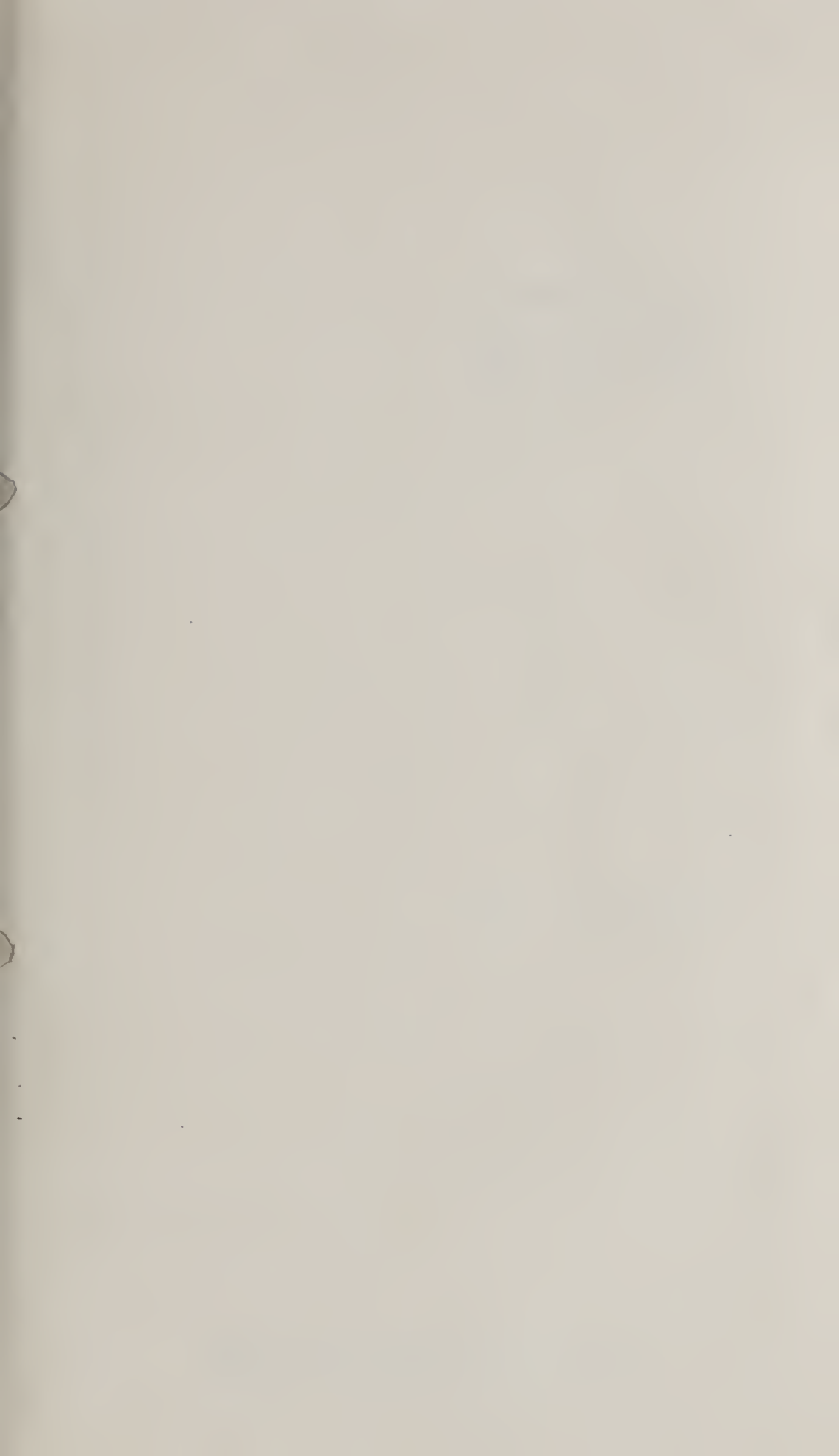
CHAIRMAN,

*Committee on Agriculture, House of Representatives,
New House Office Building, Washington, D. C.*

(Attention: Mrs. Mabel Downey (Clerk)):

In view of testimony presented during hearings humane slaughter legislation attempting to discredit professional competency of veterinarians employed by USDA, the board of governors of the American Veterinary Medical Association considers any method of slaughter unacceptable when it creates tissue changes resulting in uncertainties in the proper disposition of meat food products. Electrical stunning of swine cannot be recommended for these reasons. Our association emphatically favors humane slaughter by any improved method that is found to be practical and does not jeopardize the determination of wholesomeness of products intended for human consumption. We urge the enactment of H. R. 5820 as an important step in reaching this objective.

H. E. KINGMAN, D. V. M.,
American Veterinary Medical Association.



LEGISLATIVE HISTORY

Public Law 85-765
H.R. 8308

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INDEX AND SUMMARY OF H. R. 8308

- Jan. 3, 1957 Rep. Griffiths introduced H. R. 176 which was referred to the House Agriculture Committee. Print of bill as introduced.
- Feb. 14, 1957 Sen. Bennett (for Sen. Watkins) introduced S. 1213 which was referred to the Senate Agriculture and Forestry Committee. Print of bill as introduced.
- Mar. 1, 1957 Sen. Watkins inserted his statement favoring S. 1213.
- Mar. 5, 1957 Sen. Humphrey introduced S. 1497 which was referred to the Senate Agriculture and Forestry Committee. Sen. Humphrey discussed this bill. Print of bill as introduced and remarks of Sen. Humphrey.
- June 21, 1957 Rep. Poage introduced H. R. 8308 which was referred to the House Agriculture Committee. Print of bill as introduced.
- June 28, 1957 House committee ordered H. R. 8308 reported.
- July 9, 1957 House committee reported H. R. 8308 with amendments. H. Rept. No. 706. Print of bill and report.
- July 12, 1957 Senate subcommittee ordered reported S. 1497 with amendment.
- July 24, 1957 Rules Committee granted an open rule with 1 hour of debate on H. R. 8308.
- July 26, 1957 Rules Committee reported resolution for consideration of H. R. 8308. H. Res. 376, H. Rept. No. 883. Print of resolution and report.
- Feb. 4, 1958 House passed H. R. 8308 with amendments.
- Feb. 5, 1958 H. R. 8308 was referred to the Senate Agriculture and Forestry Committee. Print of bill as referred.
- Feb. 6, 1958 Sen. Humphrey submitted an amendment to S. 1497.
- Apr. 15, 1958 Senate subcommittee ordered S. 1497 reported with amendment (by substituting the language of H. R. 8308).
- June 18, 1958 Senate committee reported H. R. 8308 with amendments. S. Rept. No. 1724. Print of bill and report.
- ✓ June 23, 1958 Senate passed over H. R. 8308 at the request of Sen. Talmadge.

Index and summary of H. R. 8308, cont'd:

July 22, 1958 Sen. Humphrey submitted an amendment to H. R. 8308 in the nature of a substitute. Print of amendment.

July 29, 1958 Senate passed H. R. 8308 with amendments. (The bill was not printed as it passed the Senate, but is printed in Congressional Record for this date).

Aug. 13, 1958 House concurred in Senate amendments to H. R. 8308.

Aug. 27, 1958 Approved: Public Law 85-765.

HEARINGS: Senate Agriculture and Forestry Committee on S. 1213, 1497, and H. R. 8308; April 28, 29, 30, and May 1, 1958.

House Committee on Agriculture on H. R. 176, etc., Serial L, April 2, and 12, 1957.

DIGEST OF PUBLIC LAW 85-765

USE OF HUMANE METHODS IN THE SLAUGHTER OF LIVESTOCK. Declares it to be U. S. policy that the slaughtering of livestock and the handling of livestock in connection with slaughter shall be carried out only by humane methods. Declares either of the following two methods of slaughtering and handling to be humane: in the case of cattle, calves, horses, mules, sheep, swine, and other livestock, all animals are rendered insensible to pain by a single blow or gunshot or an electrical, chemical or other means that is rapid and effective, before being shackled, hoisted, thrown, cast, or cut; or by slaughtering in accordance with the ritual requirements of the Jewish faith or any other religious faith that prescribes a method of slaughter whereby the animal suffers loss of consciousness by anemia of the brain caused by the simultaneous and instantaneous severance of the carotid arteries with a sharp instrument. Prohibits after June 30, 1960, the procurement by any agency or instrumentality of the U. S. of any livestock products produced or processed by any slaughterer or processor, which in any of its plants or those of its affiliates, slaughters, or handles in connection with slaughter, livestock by methods other than those designated and approved by the Secretary of Agriculture, except as modified by the President in times of emergency. Directs the Secretary of Agriculture to conduct and foster research to develop and determine humane methods of slaughter; to designate, before March 1, 1959, humane slaughter methods; and to provide suitable means of identifying the carcasses of animals inspected and passed under the Meat Inspection Act that have been slaughtered in accordance with humane methods. Authorizes the Secretary to establish an advisory committee of 12 members to consult with the Secretary and other officials of the Department and to make recommendations relative to carrying out the provisions of the Act. Provides that nothing in the Act shall be construed to prohibit, abridge, or in any way hinder the religious freedom of any person or group.

85TH CONGRESS
1ST SESSION

H. R. 176

IN THE HOUSE OF REPRESENTATIVES

JANUARY 3, 1957

Mrs. GRIFFITHS introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To require the use of humane methods in the slaughter of livestock and poultry in interstate or foreign commerce, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That, as used in this Act—

4 (a) The term “commerce” means commerce (1) among
5 the several States or with foreign nations, (2) in any Ter-
6 ritory of the United States or in the District of Columbia,
7 (3) between any such Territory and another, (4) between
8 any such Territory and any State or foreign nation, or (5)
9 between the District of Columbia and any State, Territory,
10 or foreign nation;

1 (b) The term "Secretary" means the Secretary of
2 Agriculture;

3 (c) The term "person" means any individual, partner-
4 ship, corporation, association;

5 (d) The term "slaughterer" means any person regularly
6 engaged in the business of (1) purchasing livestock or poul-
7 try in commerce for purposes of slaughter or (2) slaughter-
8 ing livestock or poultry for the sale in commerce of meat,
9 meat products, poultry, or poultry products;

10 (e) The term "livestock" means cattle, sheep, swine,
11 and any other animal susceptible of use for the preparation
12 of meat or meat products; and

13 (f) The terms "packer" and "stockyard" shall have
14 the same meaning as when used in the Packers and Stock-
15 yards Act (7 U. S. C. 191, 202).

16 SEC. 2. (a) No slaughterer shall hoist, cut, scald, skin,
17 bleed or slaughter any livestock unless such livestock has first
18 been rendered insensible by mechanical, electrical, chemical,
19 or other means determined by the Secretary to be rapid,
20 effective, and humane.

21 (b) No slaughterer shall bleed or slaughter any poultry
22 unless such poultry has first been rendered insensible by the
23 severing of the head from the body, or by any electrical or
24 other means determined by the Secretary to be rapid,
25 effective, and humane.

1 (c) The requirements of this section shall not apply to
2 any individual slaughtering in accordance with the require-
3 ments of any established religious faith.

4 SEC. 3. Any person who by any act or omission violates
5 any provision of section 2 or section 3 shall be punished by a
6 fine of not more than \$1,000, or by imprisonment for not
7 more than one year, or both.

8 SEC. 4. (a) The Secretary shall promulgate such rules
9 and regulations as may be necessary to carry this Act into
10 effect.

11 (b) The Secretary shall appoint an advisory committee
12 composed of four members, of whom one shall be an officer
13 or employee of the Department of Agriculture designated
14 by the Secretary, one shall be chosen from slaughterers, one
15 shall be a representative of the organized trade-union move-
16 ment engaged in packinghouse work, and one shall be an
17 officer of the National Humane Society or the American
18 Humane Association. Such committee shall advise the Sec-
19 retary concerning questions arising in the administration of
20 this Act. The member who is an officer or employee of the
21 Department of Agriculture shall receive no additional com-
22 pensation for service rendered under this Act. Other mem-
23 bers shall be reimbursed for actual expenses incurred in this
24 service, as the Secretary shall prescribe.

25 SEC. 5. This Act shall take effect on the date two years

1 after the date of enactment of this Act. Upon a showing
2 of good cause and upon the recommendation of the commit-
3 tee established under section 4, the Secretary may by order
4 exempt any person from compliance with any provision of
5 this Act for any such period of time, not exceeding five years
6 after enactment, as the Secretary shall determine to be
7 reasonable.

85TH CONGRESS
1ST SESSION

H. R. 176

A BILL

To require the use of humane methods in the slaughter of livestock and poultry in interstate or foreign commerce, and for other purposes.

By Mrs. GRIFFITHS

JANUARY 3, 1957

Referred to the Committee on Agriculture

85TH CONGRESS
1ST SESSION

S. 1213

IN THE SENATE OF THE UNITED STATES

FEBRUARY 14, 1957

Mr. BENNETT (for Mr. WATKINS) introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

A BILL

To promote the development and use of improved methods for the humane handling, transporting, and slaughtering of livestock and poultry in interstate and foreign commerce.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Congress finds that the use of humane methods in
4 the handling, transporting, and slaughtering of livestock and
5 poultry prevents needless suffering; brings about improve-
6 ment of products; and produces other benefits for producers,
7 processors, and consumers which tend to expedite the orderly
8 flow of livestock and poultry and their products in interstate
9 and foreign commerce. It is therefore declared to be the
10 policy of Congress to provide for study and research to

1 develop improved methods of handling, transporting, and
2 slaughtering, and to encourage acceptance and use of such
3 methods to the end that livestock and poultry shall be
4 handled, transported, and slaughtered only by humane
5 methods.

6 SEC. 2. The Secretary of Agriculture is authorized to
7 conduct, assist, and foster research, investigation, and experi-
8 mentation to develop and to encourage the adoption of im-
9 proved methods of handling, transporting, and slaughtering
10 livestock and poultry.

11 SEC. 3. To assist in implementing the provisions of sec-
12 tion 2, the Secretary is authorized to establish an advisory
13 committee. The functions of the advisory committee shall be
14 to consult with the Secretary and other appropriate officials
15 of the Department of Agriculture and to make recommenda-
16 tions relative to (a) the research authorized in section 2;
17 and (b) obtaining the cooperation of the public, producers,
18 farm organizations, industry groups, humane associations,
19 and Federal and State agencies in the furtherance of such
20 research and the adoption of improved methods. The chair-
21 man of the committee shall be an official of the Department
22 of Agriculture designated by the Secretary. The committee
23 shall consist of not more than eight members other than the
24 chairman and shall be appointed by the Secretary and shall
25 include representatives of (a) the public, including groups

1 concerned with humane handling of animals, (b) producer
2 and industry groups, and (c) scientific and professional
3 groups. The committee shall meet at the call of the Secre-
4 tary or his designee. Committee members other than the
5 chairman shall not be deemed to be employees of the United
6 States and are not entitled to compensation, but the Secretary
7 is authorized to allow their travel and subsistence expenses
8 necessary in connection with their attendance at meetings
9 called by him or his designee for the purpose of this section.

10 SEC. 4. The Secretary of Agriculture shall report to the
11 Congress on January 1, 1959, and annually thereafter con-
12 cerning actions taken pursuant to this Act.

13 SEC. 5. There are hereby authorized to be appropriated
14 such sums as may be necessary to carry out the provisions of
15 this Act.

A BILL

To promote the development and use of improved methods for the humane handling, transporting, and slaughtering of livestock and poultry in interstate and foreign commerce.

By Mr. WATKINS

FEBRUARY 14, 1957

Read twice and referred to the Committee on
Agriculture and Forestry

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued March 4, 1957
For actions of March 1 & 2, 1957
85th-1st, Nos. 35 and 36

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HIGHLIGHTS: Sen. Case, S. Dak., introduced and discussed bill to provide for soil bank payments in kind. Sen. Symington said USDA farm income figures are misleading.

SENATE - March 1

1. FOREIGN AID. Continued debate on S. J. Res. 19, to promote peace and stability in the Middle East. pp. 2525-62, 2564-7
2. APPROPRIATIONS. Received a Mont. Legislature resolution favoring appropriations for plant disease control and research. p. 2511
3. FOREIGN TRADE. The Judiciary Committee submitted a report on its review of administration of the Trading with the Enemy Act (S. Rept. 120). p. 2512
4. POTATOES. Several Senators were noted as cosponsors of S. 1393, the potato grade labeling bill. p. 2514
5. LABOR STANDARDS. Sen. Hickenlooper was named a cosponsor of S. 1418, to amend the Fair Labor Standards Act with respect to handling agricultural commodities. p. 2514
6. TAXATION. Sen. Wiley inserted various statements favoring S. 769, providing for a Federal Tax Commission. pp. 2517-8

7. PRICE SUPPORTS. Sen. Humphrey inserted an article by Charles Bailey, "Benson Cuts Supports on Eight Farm Products." p. 2524
8. HUMANE SLAUGHTER. Sen. Watkins spoke in favor of S. 1213, to promote the development and use of improved methods for the humane handling, transportation, and slaughter of livestock and poultry. p. 2562
9. FLOOD RELIEF. Sen. Morse inserted . . . and commended a request from the Governor of Oreg. requesting that Oreg. be declared a flood disaster area. p. 2567

HOUSE - March 1

10. LEGISLATIVE PROGRAM. The "Daily Digest" announced this week's program as follows: Mon., Consent Calendar; Tues., Private Calendar and resolution for Agriculture Committee investigations; Wed. and balance of week, the corn and feed grains bill. p. D151

BILLS INTRODUCED - March 1

11. SOIL BANK. S. 1441, by Sen. Case, S. Dak., to provide for additional participation in the soil bank through payment in kind and thereby provide more rapid reduction of surplus stocks by amending section 105 of the Soil Bank Act. To Agriculture and Forestry Committee. Remarks of author. p. 2513
12. PLANT PESTS. S. 1442, by Sen. Ellender (for himself and Sen. Long), to facilitate the regulation, control, and eradication of plant pests. To Agriculture and Forestry Committee.
13. FARM LOANS. S. 1443, by Sen. Smathers, to amend the Servicemen's Readjustment Act to provide that the maximum interest rate on loans made or guaranteed under such act shall not exceed 5%. To Labor and Public Welfare Committee. Remarks of author. p. 2513

ITEMS IN APPENDIX - March 1

14. WEATHER RESEARCH. Sen. Case, S. Dak., inserted an address by Capt. Orville, Chairman of the Presidential Advisory Committee on Weather Control, "Facts and Fiction on Weather Modification (Cloud Seeding)." pp. A1648-50
15. WATER; DROUGHT RELIEF. Extension of remarks of Sen. Johnson mentioning recent rains in Texas, favoring early action on the pending deficiency bill, and including a newspaper article requesting attention to the water problem. pp. A1653-4
16. PERSONNEL. Extension of remarks of Sen. Johnston charging a "patronage raid on career jobs" and including an article by Joseph Young and Philip Young's recent issuance on this subject. pp. A1655-6
17. PRICE SUPPORTS. Sen. Humphrey inserted an article by Robert G. Lewis, of the National Farmers Union, opposing reductions in price supports. p. A1656

from Tennessee yield to the Senator from New Mexico?

Mr. KEFAUVER. I yield to my friend, the Senator from New Mexico.

Mr. CHAVEZ. I was interested in the quotation the Senator from Tennessee read from the book to which he referred a moment ago. Only some 2 weeks ago, one of our well known national magazines compared what the Senator from Tennessee has in mind, as between different countries which produce oil and receive oil revenues. In the article, reference was made to Iraq. Evidently the author of the article was thinking along the same lines the Senator from Tennessee is thinking. Iraq is getting irrigation districts and flood-control projects and schools and sanitation and medicine. But in some of the other countries, which possibly produce even more oil than does Iraq, nothing of that sort is being done.

I had hoped that something along that line might be suggested by the resolution. We cannot force it, but, in return for supplying the money, I think we can at least suggest something, along the lines that the Senator has in mind, which might be brought about for the common people.

Mr. KEFAUVER. I thank the Senator from New Mexico, who has always understood, and fought for the protection and benefit of, the common, little people.

Iraq has made a better record than have some of the other countries in the Middle East area. I agree with the Senator that is the kind of record our aid program ought to be aimed at. Also, I hope that somewhere in the program we can take definite steps toward trying to get a resettlement of the Arab refugees from the Gaza strip, because until that problem is settled we are not going to have lasting peace in the Middle East. The very point the Senator has mentioned gives rise to one of the objections made to the resolution. Neither Mr. Dulles nor any other member of the administration will name one project for which the \$200 million is to be spent—not a single one.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. KEFAUVER. I yield to my good and distinguished friend from Illinois.

Mr. DOUGLAS. Without necessarily agreeing with everything that my good friend from Tennessee has said, I think he has performed a public service in calling attention to the big revenues which the rulers of the Persian Gulf states obtain from oil, and the profits which American oil companies make from that region. I was very glad that he quoted from the book, "The Middle East, Oil and the Great Powers," by Mr. Shwadran, because it so happens that I myself have been studying that book during recent days.

It is my understanding that American companies—and I should like to have the Senator from Tennessee correct me if I am wrong—have 100 percent of the oil concession in Saudi Arabia. This is the Aramco Co., and it is owned by Standard Oil of New Jersey, Standard Oil of California, and Standard Oil of

New York, plus the Texas Co. It is my further understanding that in the year 1955 they paid royalties of approximately \$300 million to the King of Saudi Arabia, and retained as profits an equal amount, plus profits from the so-called tapline. Am I correct in that?

Mr. KEFAUVER. Yes. I know the Senator is correct with respect to the ownership by the companies. I did have a table showing the exact amount King Saud received from the oil concession. My impression was that it was in the neighborhood of \$250 million.

Mr. DOUGLAS. I think that rose to approximately \$300 million in the last year.

Mr. KEFAUVER. Generally I fully agree with the Senator.

Mr. DOUGLAS. Am I correct that in the final agreement which was made in Iran that the United States consortium of 5 companies took over 40-percent ownership of the Iranian fields, and that the British company, the Anglo-Persian Co., was left with approximately 40 percent, while the remaining 20 percent was given to the Dutch and France?

Mr. KEFAUVER. I am sure those figures are correct. I gave the chart I had to the clerk, and I do not have it before me.

Mr. DOUGLAS. At the moment the income from Persia or Iran to the international consortium amounts to not far from \$150 million a year.

Mr. KEFAUVER. The Senator is correct.

Mr. DOUGLAS. And the prospects are that in the future, as the refinery at Abadan gets into full operation, profits will increase.

Mr. KEFAUVER. That is correct.

Mr. DOUGLAS. Am I further correct in understanding that a group of American oil companies, the same 3 Standard Oil companies, plus Gulf and Texas, plus 2 others, own 23½ percent of the oil consortium in Iraq?

Mr. KEFAUVER. The Senator is correct.

Mr. DOUGLAS. There is also a mysterious area in that part of the world called the Sheikdom of Kuwait, which is little known to the world. Mr. Shwadran says that the revenues paid to the Sheik of Kuwait amounted in 1954 to \$217 million.

Mr. KEFAUVER. Yes; that is what it says in the book, and I understand that in 1956 the amount went up to \$250 million.

Mr. DOUGLAS. And there are only 170,000 people in the sheikdom of Kuwait.

Mr. KEFAUVER. I understand there are 200,000.

Mr. DOUGLAS. Am I correct in understanding that the Gulf Oil Co. owns approximately half of the concession in Kuwait, and the British interests the other half?

Mr. KEFAUVER. Yes, it is owned 50-50 between American ownership and British ownership.

Mr. DOUGLAS. I think it is Gulf which is the American company.

Mr. KEFAUVER. It is Gulf, which in turn has subsidiaries here in the United States.

Mr. DOUGLAS. Since profits, excluding pipeline profits, are split 50-50 with the local rulers, it follows, when we give figures for the royalties for local rulers, that the profits of the companies are at least in equal amounts. Is that correct?

Mr. KEFAUVER. Equal or larger.

Mr. DOUGLAS. They are at least of an equal amount. If it follows that the profits in Saudi Arabia are at least \$300 million, that, on a 40-percent basis, the profits in Iran are at least \$60 million, that, on a 50-percent basis, the profits in Kuwait are \$108 million, that 23½ of the Iraqi profits would be at least \$60 million, from all those sources, so far as we can tell, the profits of the American companies in that area amount to not far from \$530 million a year. Is that correct?

Mr. KEFAUVER. Yes. I think the figures show something in addition to that amount, but the profits are at least that much.

Mr. DOUGLAS. And the 5 companies that have the biggest interest are Standard Oil of New Jersey, Standard Oil of California, Standard Oil of New York, Gulf, and Texas, the 3 Standard Oil companies having a larger interest, in all places except in Kuwait, than Gulf and Texas.

Mr. KEFAUVER. Socony Mobiloil has an interest.

Mr. DOUGLAS. That would be Standard Oil of New York.

Mr. KEFAUVER. That would be Standard Oil of New York.

Mr. DOUGLAS. I want to say I am not one who thinks this is necessarily bad.

I am not one who charges that this influence is necessarily decisive in terms of American foreign policy, but it certainly should be taken into account as an important influence. In addition to the danger which the Senator from Tennessee has pointed out, is it not also true that these companies, in their anxiety to avert nationalization, would not wish to have the United States adopt any policy which would estrange the Arab States?

Mr. KEFAUVER. That is entirely true. Undoubtedly one reason why they are so strong for this policy and program, and have worked so hard for it, is that they know that Mr. Dulles thinks there should be international intervention in the event of nationalization of some property which is invested with any international public functions.

Mr. DOUGLAS. Is there not a further consequence? All the Arab States, and particularly Saudi Arabia, are very antagonistic to Israel.

Mr. KEFAUVER. The Senator is correct.

Mr. DOUGLAS. Does it not follow that the economic interest of these companies would be such that they would not want the American policy toward Israel to be one which would make the Arab States seriously angry at the United States, and hence increase the danger of nationalization?

Mr. KEFAUVER. That certainly would be the case; and I think it is only fair to say that there has been a shifting of the position of the United States.

Government, from being fairly friendly with Israel before the present administration came in, to one of greater friendliness toward the Arab nations, and less toward Israel since the new administration has been in power. Undoubtedly that is following the line which international companies would want to see this Nation follow.

Mr. DOUGLAS. In justice we should also say that in the past few days, under pressure from the country and the Senate, there has been something of a shift in the policy of the United States Government. This afternoon the United States advocated, on the floor of the United Nations, a policy which some of us have been urging for more than a month, namely, that there should be United Nations occupation of the regions controlling the Gulf of Aqaba and the Gaza strip. I hope this is final and that there is no more backing and filling on our part.

Mr. KEFAUVER. Yes.

Mr. DOUGLAS. Should not all this be added to indicate that public opinion still operates in a democracy, even though we may have a Department of State strongly prejudiced in a given direction?

Mr. KEFAUVER. Yes; I think in fairness that should be stated. I am glad the administration finally changed somewhat its position with respect to voting for sanctions against Israel; but undoubtedly a position of hostility was apparent some time ago. It was only because of great public pressure, and the position of many leading Members of the United States Senate, in my opinion, that a change of heart in the administration was brought about. The administration is to be complimented upon the change of position it has made. However, I think that does not change the basic point, namely, that this administration does largely what the big international oil companies want. That is reflected in the changed position in connection with Israel and the Arab States from what was a very friendly position toward Israel. This administration has reversed that position, and is more friendly toward the Arab nations. That fits exactly the attitude which the international oil companies follow.

Mr. DOUGLAS. While not agreeing with all the implications in the statement of the Senator from Tennessee, and disagreeing with respect to some of the conclusions which he draws, I think he has performed a very valuable service in making this speech this afternoon. I wish to congratulate him.

Mr. KEFAUVER. I appreciate the comments of my distinguished friend. He has been very kind to sit and listen all afternoon to this long discussion.

Mr. MORSE. Mr. President, will the Senator yield in order that I may address a question to the Senator from Illinois?

Mr. KEFAUVER. I yield.

Mr. MORSE. The Senator from Illinois has made a very great contribution to this debate by the colloquy he has just had with the Senator from Tennessee in connection with the penetrating questions he has asked.

The Senator from Illinois could make a further great contribution—because he is the best qualified Member of the Senate to discuss this point with the Senator from Tennessee—if he would discuss with the Senator from Tennessee, for a very brief time, the tax benefits which American oil companies get as a result of their Middle East operations. I wonder if the Senator from Illinois would direct the attention of the Senator from Tennessee to that subject.

Mr. KEFAUVER. It is a very interesting subject. As the Senator from Oregon has said, no one is better able to give a brief summary of it than the Senator from Illinois, if he has the time to do so this afternoon. Perhaps he may wish to defer discussion of the subject until some later time.

Mr. DOUGLAS. Mr. President, I intend to discuss that subject later. I do not wish to make premature charges, and I should like to reserve the subject for a later time, when a definitive analysis can be made.

Mr. MORSE. That is entirely satisfactory. I wish the Senator from Illinois to know that I shall await the discussion with great interest, and I shall be the direct beneficiary of his discussion of that subject when he presents it in his speech.

Mr. DOUGLAS. I thank the Senator.

Mr. KEFAUVER. Mr. President, I yield the floor.

TRANSPORTATION AND SLAUGHTERING OF LIVESTOCK AND POULTRY IN INTERSTATE AND FOREIGN COMMERCE

Mr. WATKINS. Mr. President, I have prepared, for insertion in the RECORD, a statement dealing with S. 1213, to promote the development and use of improved methods for the humane handling, transportation, and slaughtering of livestock and poultry in interstate and foreign commerce. I ask unanimous consent that the statement may be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR WATKINS

On February 14, 1957, my colleague, Senator WALLACE F. BENNETT, introduced for me a bill now designated as S. 1213. This bill is designed to promote and encourage the development and use of improved methods of humane handling, transportation, and slaughtering of livestock and poultry in interstate and foreign commerce.

It is to be noted that S. 1213 does not use the expression "to require." This has been done advisedly, because at the present time we appear not to have sufficient facts to set up a specific bill of particulars, fair to all parties concerned, requiring that the handling, shipping, and especially slaughtering of livestock shall be done thus and so.

Basically, the problem involved is how to develop humane but economical methods of handling, shipping, and slaughtering. Other problems raised at the hearings held last May by the Senate Committee on Agriculture and Forestry included these:

1. Although certain developed methods are humane, their mandatory use at present would appear to result in a loss of potential

food product and deterioration in the quality of the end food product.

2. Under present economic conditions, arbitrary imposition of several known methods of humane slaughter would appear to work an economic hardship upon some firms, especially the size of operation which does not permit ready introduction of new innovations.

3. Certain religious groups have followed rites for untold centuries that otherwise might be proscribed, were uniform methods to be required without further study and possible modification.

S. 1213 is a step in the direction of finding solutions to these economic and social problems. This is important, because in the interest of equity, they must be reconciled with the concern the general public has for the humane treatment of animals. Under these circumstances, S. 1213 should have the wholehearted support of all groups concerned, including interested social and religious groups and the meatpacking and processing industry.

To this end, the bill directs the Secretary of Agriculture to conduct, assist, and foster research, investigation, and experimentation which will lead to and encourage the adoption of improved methods of handling, transporting, and slaughtering livestock and poultry. He is authorized to establish an advisory committee, composed of not more than eight members, exclusive of the chairman who is to be an official of the United States Department of Agriculture designated by the Secretary.

Membership on the committee would include (1) representatives of the public, including groups concerned with the humane treatment of animals; (2) producer and industry groups; and (3) scientific and professional groups. The committee will meet upon call of the Secretary of Agriculture or the chairman. It will be required to make its first report to the Congress by January 1, 1959, and thereafter, the Secretary would be required to report annually concerning the progress being made.

DIFFICULTIES OF UNITED STATES PROTESTANT MISSIONARIES IN COLOMBIA

Mr. MORSE. Mr. President, I invite the attention of Senators to a situation which has disturbed me for some time. I refer to the difficulties which many United States Protestant missionaries have experienced, and regrettably are still experiencing, in Colombia.

This has been the subject of almost constant negotiation between the United States Government and the Colombian Government over a period extending back several years. At times the situation has appeared to be improving, and at times it has seemed to be worsening. During 1956, it seemed definitely to be getting better, and I address myself to the subject at this time primarily because I fear that the hopes and promises of 1956 may not be fully realized.

The basic difficulty stems from the Colombian Government's interpretation of an agreement which it made with the Vatican in 1953, and which gives the Roman Catholic Church special privileges and support in areas designated as "mission territories." These territories now cover between two-thirds and three-fourths of the entire country. In 1955, the Colombian Government issued regulations interpreting this agreement as prohibiting Protestant missions from

85TH CONGRESS
1ST SESSION

S. 1497

IN THE SENATE OF THE UNITED STATES

MARCH 5 (legislative day, MARCH 2), 1957

Mr. HUMPHREY (for himself, Mr. NEUBERGER, and Mr. PURTELL) introduced the following bill; which was read twice and referred to the Committee on Agriculture and Forestry

A BILL

To require the use of humane methods in the slaughter of livestock and poultry in interstate or foreign commerce, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That, as used in this Act—

4 (a) The term “commerce” means commerce (1) among
5 the several States or with foreign nations, (2) in any Terri-
6 tory of the United States or in the District of Columbia, (3)
7 between any such Territory and another, (4) between any
8 such Territory and any State or foreign nation, or (5)
9 between the District of Columbia and any State, Territory,
10 or foreign nation;

1 (b) The term "Secretary" means the Secretary of
2 Agriculture;

3 (c) The term "person" means any individual, partner-
4 ship, corporation, or association;

5 (d) The term "slaughterer" means any person regu-
6 larly engaged in the business of (1) purchasing livestock
7 or poultry in commerce for purposes of slaughter, or (2)
8 slaughtering livestock or poultry for the sale in commerce
9 of meat, meat products, poultry, or poultry products;

10 (e) The term "livestock" means cattle, sheep, swine,
11 horses, and other animals susceptible of use for the prepara-
12 tion of meat or meat products;

13 (f) The term "poultry" means any fowl susceptible of
14 use as human or animal food;

15 (g) The term "approved method" of slaughtering shall
16 mean any of the following:

17 1. In the case of livestock, rendering such livestock
18 insensible before bleeding or slaughtering, by mechanical,
19 electrical, chemical, or other means determined by the
20 Secretary to be rapid, effective, and humane;

21 2. In the case of poultry, instantaneous severing of the
22 head from the body or, if poultry is otherwise cut or stuck,
23 by first rendering such poultry insensible by mechanical,
24 electrical, chemical, or other means determined by the Secre-
25 tary to be rapid, effective, and humane;

1 3. Slaughtering in accordance with the requirements of
2 any religious faith.

3 SEC. 2. (a) Livestock and poultry shall be slaughtered
4 by an approved method.

5 (b) Livestock and poultry shall not be shackled, hoisted,
6 cast, or otherwise brought into position for slaughter by any
7 method that causes pain to the animals or fowl.

8 SEC. 3. Any person who by any act or omission vio-
9 lates any provision of section 2 shall be punished by a fine
10 of not more than \$1,000, or by imprisonment for not more
11 than one year, or both.

12 SEC. 4. The Secretary of Agriculture is authorized and
13 directed to appoint an Advisory and Research Committee
14 consisting of not more than ten members, chosen from the
15 following classifications: the Department of Agriculture,
16 the national organizations of slaughterers, the trade-union
17 movement engaged in slaughterhouse work, livestock grow-
18 ers, societies of the humane movement in the United States,
19 and persons familiar with the requirements of ritualistic
20 slaughtering. Committee members shall serve at the pleasure
21 of the Secretary, who may replace a member, or fill a
22 vacancy, at any time. The Committee shall advise the Secre-
23 tary concerning questions arising in the administration of
24 this Act, including in appropriate cases recommendations to
25 the Secretary pursuant to section 6 hereunder. The Commit-

tee shall also conduct a continuing study of methods of slaughter of livestock and poultry with the objective of improving and bringing about acceptance of more efficient and more humane methods of slaughter, other than those approved methods designated in section 1 (g) above. The Department of Agriculture shall assist the Committee with such research personnel and facilities as the Department can make available. Any Committee member who is an officer or employee of the Department of Agriculture shall receive no additional compensation for service rendered under this Act. Other members shall receive such compensation, not in excess of \$50 for each day of service, as the Secretary shall prescribe.

SEC. 5. The Secretary shall promulgate such rules and regulations as may be necessary to carry this Act into effect.

SEC. 6. This Act shall take effect on the date two years after the date of enactment of this Act. Upon a showing of good cause and upon the recommendation of the Committee established under section 4, the Secretary may by order exempt any person from compliance with any provision of this Act for such a period of time as the Secretary shall determine to be reasonable, not to exceed one year.

A BILL

To require the use of humane methods in the slaughter of livestock and poultry in interstate or foreign commerce, and for other purposes.

By Mr. HUMPHREY, Mr. NEUBERGER, and Mr.
PURCELL

MARCH 5 (legislative day, MARCH 2), 1957
Read twice and referred to the Committee on
Agriculture and Forestry

the volume of business has so increased that it is more economical at some locations for a carrier to disregard the statutory requirements and run the risk of being penalized.

The records of the Interstate Commerce Commission show a continuing deterioration in safety appliance maintenance. In the fiscal year ended June 30, 1956, 60.80 cars and locomotives out of each 1,000 inspected had defective safety appliances. This represents an increase of almost 100 percent over 1946 when 38.03 cars and locomotives per 1,000 inspected were found to have defective safety appliances.

The present trend of balancing costs against compliance with the law is alarming and hardly conducive to safe railroad operation. It is believed that by increasing the penalty to \$500 so as to bring it more in line with present-day values will stimulate improved maintenance practices.

The Hours of Service Act, also passed to promote the safety of employees and travelers upon railroads, limits the number of hours that employees actually engaged in or connected with the movement of trains can be on duty. The maximum hours of service established were designed to prevent such employees from becoming so fatigued as to create unsafe conditions for themselves and travelers.

Section 3 of this act (45 U. S. C., sec. 63) now provides a penalty of not less than \$100 nor more than \$500 for each violation. The original hours-of-service law of March 4, 1907, fixed a maximum penalty of not more than \$500 for each violation without prescribing a minimum. When it was found that some courts were assessing penalties so low as to remove all deterrent effect, the Congress, on May 4, 1916, amended the law so as to provide the present penalty of not less than \$100 nor more than \$500 for each violation. Experience has shown, however, that in almost every instance the courts have assessed the minimum penalty of \$100, which, in a practical matter, has resulted in the establishment of \$100 as the standard penalty for violations of the hours-of-service

Because of changed economic conditions the value of the minimum penalty as a deterrent to violations has very largely been destroyed. It is therefore urged that the act be amended, as proposed in the draft bill, to provide a fixed penalty of \$500 for each violation.

For similar reasons it is urged that the penalty provision in section 9 of the Locomotive Inspection Act (45 U. S. C., sec. 34) be amended to provide a fixed penalty of \$500 for each violation. The present fixed penalty of \$100 has remained the same since the enactment of the Locomotive Inspection Act in 1911, at which time it was sufficient to assure effective compliance with the law. This effectiveness has largely been lost, however, due to changed values and conditions.

In recent years, particularly since the advent of the diesel-electric locomotive, large strategically located shops have displaced the small divisional or district shops. In some instances the present shops are located 800 miles or more apart. The trend, therefore, has been for the carriers to operate their locomotives over several districts or divisions without inspections. This has resulted in the running of defective locomotives considerable distances to points where repairs can be made, which practice has been encouraged by the present inadequate penalty provisions in the law. If the penalty for violating the Locomotive Inspection Act were brought more nearly in line with current locomotive, material, and labor costs, the carriers would be more reluctant to violate the law, and risk the imposition of substantial penalties, for operating convenience.

Under section 222 (a) of the Interstate Commerce Act, the maximum penalty assessable for violations of the Commission's

motor carrier safety and hours of service regulations is \$100 for the first offense and \$500 for any subsequent offense. The maximum fine assessable under section 222 (c) for giving rebates and concessions and engaging in certain other unfair competitive practices is \$500 for the first offense and \$2,000 for any subsequent offense. When these penalties were established in 1935 during a period of economic distress they represented substantial sums and were sufficient to deter persons from violating the substantive provisions of the law. However, as in the case of many other penalty provisions established some years ago, the value of the dollar has so decreased, that this deterrent effect has been lost to a considerable extent.

Investigation has shown that many accidents involving motor vehicles subject to the Commission's safety regulations, and which have resulted in tragic loss of life and extensive property damage, need not have occurred if the Commission's regulations had been complied with. Investigation has also disclosed that in a number of these cases there has not only been a flagrant disregard of the Commission's regulations, but, in addition, has revealed an extremely callous attitude on the part of some carriers toward the lives and rights of others using the Nation's highways.

That the present maximum penalties are not realistic by present-day standards is evident from the fact that as early as 1949, when enacting subsection (h) of section 222, Congress provided for mandatory forfeitures in the amount of \$100 for the first day and not more than \$50 for each additional day in which a carrier was late in filing a required report.

The maximum penalties in section 222 (a) and (c) do not, by any means, represent the actual penalties presently being imposed by the courts. A study of all criminal prosecutions concluded under these sections during the first 9 months of 1956 shows that the average penalty per count has amounted to \$38.52 under section 222 (a) and \$81.80 under section 222 (c). Thus all cases brought under section 222 (h) covering any failure to file a report seasonably, regardless of the degree of willfulness involved, brought about average forfeitures in excess of \$100 per count while carriers committing flagrant and willful violations of the act's safety, licensing and rate safeguards suffered penalties substantially less per count.

Under the present provisions of these sections, in which maximum penalties only are expressed, some courts have imposed purely nominal fines totaling as little as \$25 or \$50. In other cases of violations having an immediate and unusually severe impact on the general public, the courts, although desiring to do so, have been unable to impose a penalty of more than \$100 per count which they stated was clearly disproportionate to the gravity of the offense.

Because of the tendency of some courts to impose extremely small fines, the Commission does not believe that merely increasing the maximum penalties would be sufficient. It recommends, instead, that minimum penalties also be provided. A minimum penalty of not less than \$100 for the first offense and of not less than \$500 for any subsequent offense under section 222 (a), and a minimum penalty of not less than \$500 for the first offense and of not less than \$1,000 for any subsequent offense for violations under section 222 (c) would, in the Commission's view, go a long way in restoring their deterrent effect.

The purpose of the proposed changes in the penalty provisions of the aforementioned statutes is not to place an undue burden upon the carriers, but to provide more adequate and realistic penalties in the light of present-day conditions, and thereby bring about greater compliance with the law.

AMENDMENT OF SOIL BANK ACT, RELATING TO INCLUSION OF PRODUCERS OF NONBASIC AGRICULTURAL COMMODITIES IN ACREAGE RESERVE PROGRAM

Mrs. SMITH of Maine. Mr. President, on behalf of myself, my colleague, the junior Senator from Maine [Mr. PAYNE], and the Senator from Oregon [Mr. NEUBERGER], I introduce, for appropriate reference, a bill to amend the Soil Bank Act to enable producers of Irish potatoes and other nonbasic agricultural commodities to participate in the acreage reserve program. I ask unanimous consent that the bill may lie on the desk through Thursday, March 7, to permit all other Senators to cosponsor it if they so desire.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, will lie on the desk, as requested by the Senator from Maine.

The bill (S. 1494) to amend the Soil Bank Act to enable producers of Irish potatoes and other nonbasic agricultural commodities to participate in the acreage reserve program, introduced by Mrs. SMITH of Maine (for herself, Mr. PAYNE, and Mr. NEUBERGER), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

HUMANE METHODS IN SLAUGHTER OF LIVESTOCK AND POULTRY

Mr. HUMPHREY. Mr. President, on behalf of myself, the Senator from Oregon [Mr. NEUBERGER], and the Senator from Connecticut [Mr. PURTELL], I introduce, for appropriate reference, a bill to require humane slaughter in our country's packing plants engaged in interstate commerce.

It is time that we in the United States faced the fact that we trail behind much of the world in adoption of approved and humane practices in slaughter of animals for food. What we are asking in this legislation is already accepted and in use in many other countries. We pride ourselves on being advanced in technology in most of our endeavors; we should be just as advanced in humane regard for handling and treatment of animals.

Last year I introduced similar legislation, and it was my privilege to conduct hearings out of which came a unanimous and favorable recommendation from our bipartisan subcommittee. The bill later passed the Senate, after being modified by the full Senate Committee on Agriculture. It did not become law because of lack of action in the House.

I am pleased to note increased interest in such legislation in the House this year. I understand House hearings have already been scheduled, and I am hopeful that the House will send us good legislation that we can speedily enact.

During our hearings last year, everyone—including packers—professed concurrence in the objectives we are seeking. However, the packing industry objected to compulsion, and insisted that adequate progress would be made voluntarily. A year has now passed, and we still do not have humane slaughter in

practice, except in a few plants that pioneered adoption of such methods in advance of any legislation. It now appears that it will take action by the Congress to spur other packing plants into recognizing the long-pressed demands of thousands of consumers and humane-minded citizens all over the country.

My bill specifies certain approved practices warranted on the basis of last year's hearing, including methods used by religious groups.

It allow a 2-year grace period before the requirements become fully effective, to permit packing plants time to change over to new methods that are now proved effective and available. The Secretary of Agriculture is further empowered to exempt individual plants for an extra year in event of hardship in making such a changeover.

Mr. President, I ask unanimous consent that my bill be printed in the RECORD, at the conclusion of my remarks.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1497) to require the use of humane methods in the slaughter of livestock and poultry in interstate or foreign commerce, and for other purposes, introduced by Mr. HUMPHREY (for himself, Mr. NEUBERGER, and Mr. PURTELL), was received, read twice by its title, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That, as used in this act—

SECTION 1. (a) The term "commerce" means commerce (1) among the several States or with foreign nations, (2) in any Territory of the United States or in the District of Columbia, (3) between any such Territory and another, (4) between any such Territory and any State or foreign nation, or (5) between the District of Columbia and any State, Territory, or foreign nation;

(b) The term "Secretary" means the Secretary of Agriculture;

(c) The term "person" means any individual, partnership, corporation, or association;

(d) The term "slaughterer" means any person regularly engaged in the business of (1) purchasing livestock or poultry in commerce for purposes of slaughter or (2) slaughtering livestock or poultry for the sale in commerce of meat, meat products, poultry or poultry products;

(e) The term "livestock" means cattle, sheep, swine, horses, and other animals susceptible of use for the preparation of meat or meat products;

(f) The term "poultry" means any fowl susceptible of use as human or animal food;

(g) The term "approved method" of slaughtering shall mean any of the following:

1. In the case of livestock, rendering such livestock insensible before bleeding or slaughtering, by mechanical, electrical, chemical or other means determined by the Secretary to be rapid, effective and humane;

2. In the case of poultry, instantaneous severing of the head from the body or, if poultry is otherwise cut or stuck, by first rendering such poultry insensible by mechanical, electrical, chemical, or other means determined by the Secretary to be rapid, effective and humane;

3. Slaughtering in accordance with the requirements of any religious faith.

SEC. 2. (a) Livestock and poultry shall be slaughtered by an approved method.

(b) Livestock and poultry shall not be shackled, hoisted, cast, or otherwise brought into position for slaughter by any method that causes pain to the animals or fowl.

SEC. 3. Any person who by any act or omission violates any provision of section 2 shall be punished by a fine of not more than \$1,000, or by imprisonment for not more than 1 year, or both.

SEC. 4. The Secretary of Agriculture is authorized and directed to appoint an Advisory and Research Committee consisting of not more than 10 members, chosen from the following classifications: the Department of Agriculture; the national organizations of slaughterers; the trade-union movement engaged in slaughterhouse work; livestock growers; societies of the humane movement in the United States; and persons familiar with the requirements of ritualistic slaughtering. Committee members shall serve at the pleasure of the Secretary, who may replace a member, or fill a vacancy, at any time.

The committee shall advise the Secretary concerning questions arising in the administration of this act, including in appropriate cases recommendations to the Secretary pursuant to section 6 hereunder. The committee shall also conduct a continuing study of methods of slaughter of livestock and poultry with the objective of improving and bringing about acceptance of more efficient and more humane methods of slaughter, other than those approved methods designated in section 1 (g) above. The Department of Agriculture shall assist the committee with such research personnel and facilities as the Department can make available. Any committee member who is an officer or employee of the Department of Agriculture shall receive no additional compensation for service rendered under this act. Other members shall receive such compensation, not in excess of \$50 for each day of service, as the Secretary shall prescribe.

SEC. 5. The Secretary shall promulgate such rules and regulations as may be necessary to carry this act into effect.

SEC. 6. This act shall take effect on the date 2 years after the date of enactment of this act. Upon a showing of good cause and upon the recommendation of the committee established under section 4, the Secretary may by order exempt any person from compliance with any provision of this act for such a period of time as the Secretary shall determine to be reasonable, not to exceed 1 year.

CHANGE OF REFERENCE

Mr. CASE of South Dakota. Mr. President, on February 14, I introduced the bill (S. 1221) to make the evaluation of recreational benefits and wildlife development resulting from the construction of any flood-control, navigation, or reclamation project an integral part of project planning, and for other purposes.

The bill was referred to the Committee on Interior and Insular Affairs.

An almost identical bill, introduced by the Senator from Oklahoma [Mr. KERR] was referred to the Committee on Public Works.

In view of the fact that the Committee on Public Works will soon hold hearings on the bill introduced by the Senator from Oklahoma, and in view of the further fact that my bill is almost identical with his, except for a few words, I ask unanimous consent that the Committee on Interior and Insular Affairs be discharged from the further consideration of Senate bill 1221, and that the bill be referred to the Committee on Pub-

lic Works, in order that the hearing may be held on both bills at the same time.

I may state that I have conferred with the clerk of the Committee on Interior and Insular Affairs, and he has conferred with the members of that committee; and I understand there is no objection to the adoption of the course I now request.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from South Dakota? The Chair hears none. Without objection, it is so ordered.

AID FOR DEPRESSED AREAS—ADDITIONAL COSPONSOR OF BILL

Under authority of the order of the Senate of February 28, 1957, the name of Mrs. SMITH of Maine was added as an additional cosponsor of the bill (S. 1433) to assist areas to develop and maintain stable and diversified economies by a program of financial and technical assistance and otherwise, and for other purposes, introduced by Mr. MARTIN of Pennsylvania (for himself, Mr. PAYNE, Mr. POTTER, Mr. REVERCOMB, and Mr. MCCARTHY) on February 28, 1957.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE APPENDIX

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Appendix, as follows:

By Mr. GREEN:

Address delivered by him on Sunday, March 3, 1957, at a testimonial dinner given in his honor by the nationalities division of the Democratic National Committee at the Waldorf-Astoria Hotel, New York City.

By Mr. THYE:

Address delivered by Dr. Milton S. Eisenhower before conference of grand masters of Masons in North America, on February 20, 1957, at Hotel Statler, Washington, D. C.

By Mr. SMATHERS:

Address delivered by President Fulgencio Batista, of Cuba, and reply by Judge George D. Nelson on behalf of 150 members of the Goodwill Mission representing the Chambers of Commerce of the United States in Habana, Cuba, December 3, 1956.

By Mr. GORE:

Editorial entitled "Campaign Spending," published in the Baltimore Sun of Tuesday, March 5, 1957.

By Mr. WILEY:

News articles and editorial paying tribute to Northwestern Mutual Life Insurance Co.; which will appear hereafter in the Appendix.

By Mr. HUMPHREY:

Editorial entitled "VFW Would Like To Know," published in the St. Paul Pioneer Press of February 26, 1957.

Article entitled "The Diplomatic Shifts," written by James Reston, and published in the New York Times of March 5, 1957.

By Mr. TALMADGE:

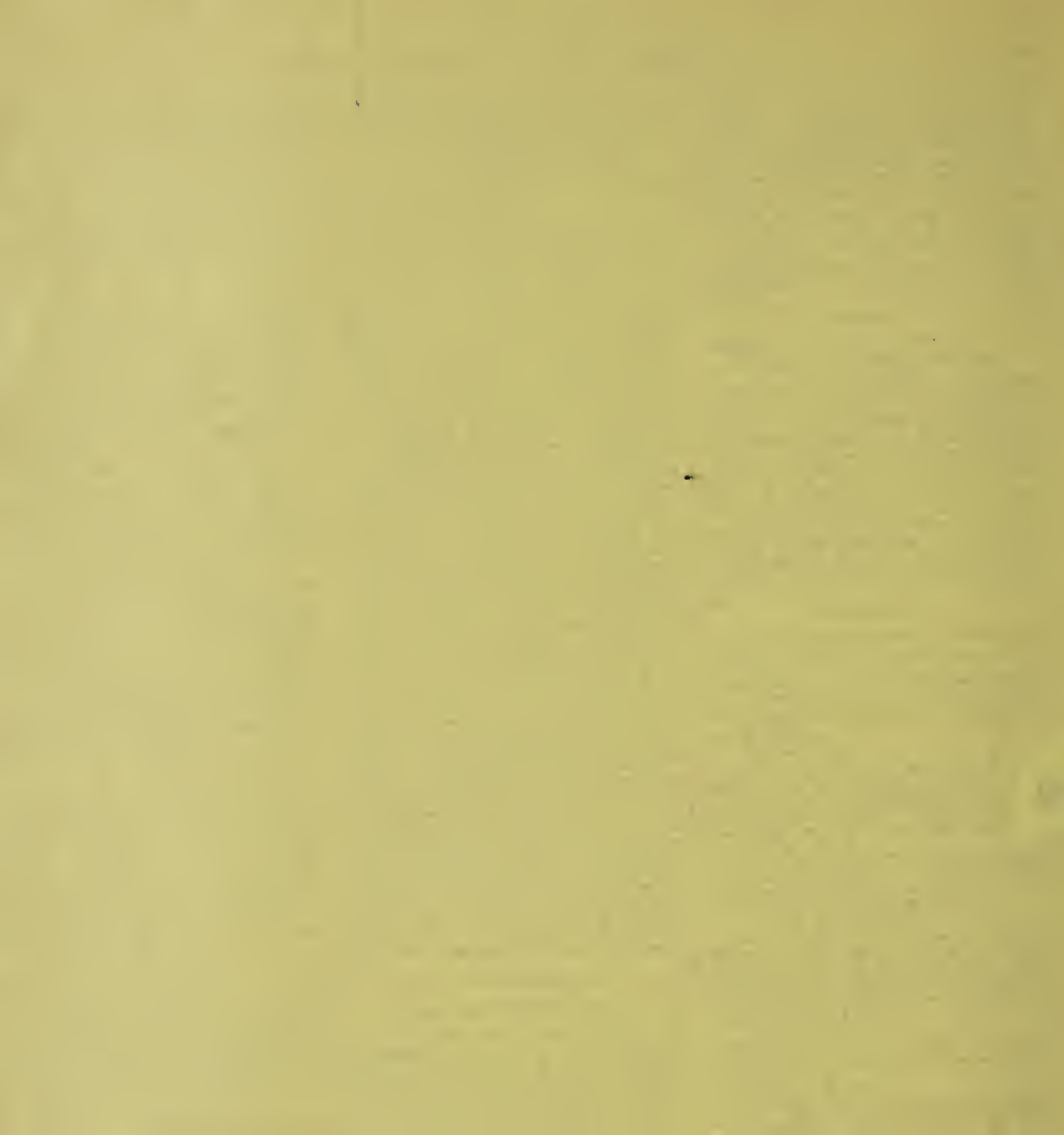
Article entitled "Donald Comer Reviews Import Situation From 1936 to Present," published in the Cotton Trade Journal for January 25, 1957.

By Mr. MAGNUSON:

Special citation awarded by Public Health Service, Department of Health, Education, and Welfare, to the American Export Lines, Inc.

By Mr. FREAR:

Article entitled "Uranium and Its Country," written by Ashworth Burslem, and printed in the Explosives Engineer, a publi-



85TH CONGRESS
1ST SESSION

H. R. 8308

IN THE HOUSE OF REPRESENTATIVES

JUNE 21, 1957

Mr. POAGE introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To establish the use of humane methods of slaughter of livestock as a policy of the United States, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Congress finds that the use of humane methods
4 in the slaughter of livestock prevents needless suffering;
5 results in safer and better working conditions for persons
6 engaged in the slaughtering industry; brings about improve-
7 ment of products and economies in slaughtering operations;
8 and produces other benefits for producers, processors, and
9 consumers which tend to expedite an orderly flow of live-
10 stock and livestock products in interstate and foreign com-
11 merce. It is therefore declared to be the policy of the

1 United States that the slaughtering of livestock and the
2 handling of livestock in connection with slaughter shall be
3 carried out only by the most humane practicable methods.

4 SEC. 2. No method of slaughter or handling in connec-
5 tion with slaughter shall be deemed to comply with such
6 public policy unless, (a) in the case of cattle, calves, horses,
7 mules, sheep, swine, and other livestock, all animals are
8 rendered insensible to pain, by a single blow or gunshot or an
9 electrical, chemical, or other means that is rapid and effec-
10 tive before being shackled, hoisted, thrown, cast, or cut, or
11 (b) by slaughtering in conformity with the practices and
12 requirements of any established religious faith which practices
13 and requirements are hereby declared to be humane within
14 the meaning of this Act.

15 SEC. 3. The public policy declared herein shall be taken
16 into consideration by all agencies of the Federal Government
17 in connection with all procurement and price support pro-
18 grams and operations and on and after July 1, 1959, no
19 agency or instrumentality of the United States shall contract
20 for or procure any livestock products produced or processed
21 by any slaughterer or processor which in any of its plants
22 or in any plants of any slaughterer or processor with which
23 it is affiliated slaughters or handles in connection with
24 slaughter livestock by any methods other than methods
25 designated and approved by the Secretary of Agriculture

1 (hereinafter referred to as the Secretary) pursuant to sec-
2 tion 4 hereof: *Provided*, That during the period of any na-
3 tional emergency declared by the President or the Congress,
4 the limitations on procurement required by this section may
5 be modified by the President to the extent determined by
6 him to be necessary to meet essential procurement needs
7 during such emergency. For the purposes of this section
8 a slaughterer or processor shall be deemed to be affiliated
9 with another slaughterer or processor if it controls, is con-
10 trolled by, or is under common control with, such other
11 slaughterer or processor. On and after July 1, 1959, each
12 supplier from which any livestock products are procured by
13 any agency of the Federal Government shall be required by
14 such agency to make such statement of eligibility under this
15 section to supply such livestock products as, if false, will
16 subject the maker thereof to prosecution, title 18, United
17 States Code, section 287.

18 SEC. 4. In furtherance of the policy expressed herein
19 the Secretary is authorized and directed—

20 (a) to conduct, assist, and foster research, investi-
21 gation, and experimentation to develop and determine
22 methods of slaughter and the handling of livestock in
23 connection with slaughter which are practicable with
24 reference to the speed and scope of slaughtering opera-

1 tions and humane with reference to other existing
2 methods and then current scientific knowledge;

3 (b) on or before June 30, 1958, and at such times
4 thereafter as he deems advisable, to designate methods
5 of slaughter and of handling in connection with slaughter
6 which, with respect to each species of livestock, con-
7 form to the policy stated herein. If he deems it more
8 effective, the Secretary may make any such designation
9 by designating methods which are not in conformity with
10 such policy. Designations by the Secretary subsequent
11 to January 1, 1959, shall become effective for purposes
12 of section 3 hereof 180 days after their publication in
13 the Federal Register;

14 (c) to provide suitable means of identifying the
15 carcasses of animals inspected and passed under the
16 Meat Inspection Act (21 U. S. C. 71 and the following)
17 that have been slaughtered in accordance with the
18 public policy declared herein.

19 SEC. 5. To assist in implementing the provisions of sec-
20 tion 4, the Secretary is authorized to establish an advisory
21 committee. The functions of the Advisory Committee shall
22 be to consult with the Secretary and other appropriate
23 officials of the Department of Agriculture and to make
24 recommendations relative to (a) the research authorized
25 in section 4; (b) obtaining the cooperation of the public,

1 producers, farm organizations, industry groups, humane asso-
2 ciations, and Federal and State agencies in the furtherance
3 of such research and the adoption of improved methods;
4 and (c) the designations required by section 4. The Com-
5 mittee shall be composed of twelve members, of whom one
6 shall be an officer or employee of the Department of Agri-
7 culture designated by the Secretary (who shall serve as
8 Chairman) ; two shall be representatives of national organi-
9 zations of slaughterers; one shall be a representative of the
10 trade-union movement engaged in packinghouse work; one
11 shall be a representative of the general public; two shall
12 be representatives of livestock growers; one shall be a repre-
13 sentative of the poultry industry; two shall be representa-
14 tives of national organizations of the humane movement; one
15 shall be a representative of a national professional veterinary
16 organization; and one shall be a person familiar with the
17 requirements of religious faiths with respect to slaughter.
18 The Department of Agriculture shall assist the Committee
19 with such research personnel and facilities as the Depart-
20 ment can make available. Committee members other than
21 the Chairman shall not be deemed to be employees of the
22 United States and are not entitled to compensation but the
23 Secretary is authorized to allow their travel expenses and
24 subsistence expenses in connection with their attendance at
25 regular or special meetings of the Committee. The Commit-

1 tee shall meet at least once each year and at the call of the
2 Secretary and shall from time to time submit to the Secre-
3 tary such reports and recommendations with respect to new
4 or improved methods as it believes should be taken into con-
5 sideration by him in making the designations required by
6 section 4 and the Secretary shall make all such reports avail-
7 able to the public.

A BILL

To establish the use of humane methods of slaughter of livestock as a policy of the United States, and for other purposes.

By Mr. POAGE

JUNE 21, 1957

Referred to the Committee on Agriculture

H. R. 8308

A BILL

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued July 1, 1957
For actions of June 28, 1957
85th-1st, No. 113

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HIGHLIGHTS: House agreed to conference report on Interior appropriation bill. House Rules Committee reported resolution for consideration of compulsory poultry inspection bill. House committee ordered reported bills to exempt from quotas certain wheat used on farm where produced, and to provide for humane slaughter of livestock. House agreed to Senate amendments to legislative appropriation bill. House agreed to conference report on housing bill.

HOUSE

1. APPROPRIATIONS. Agreed to the conference report on H.R. 5189, the Interior appropriation bill for 1958, which includes Forest Service items (pp. 9500-03). Concurred in a Senate amendment providing that the Trust Territory of the Pacific Islands is authorized to receive, during the 1958 fiscal year, surplus foods from this Department, available pursuant to Sec. 32 of the act of Aug. 24, 1935, for distribution on the same basis as domestic distribution of surplus foods (p. 9500-01). For information regarding Forest Service items see Digest 112.
Agreed to the Senate amendments to H.R. 7599, the legislative appropriation bill for 1958 (pp. 9498-9500). This bill will now be sent to the President.
2. HUMANE SLAUGHTER; ~~WHEAT~~. The Agriculture Committee ordered reported H.R. 8308, to establish the use of humane methods of slaughter of livestock as a policy of the U.S., ~~and to amend the Agricultural Adjustment Act of 1938 so as to exempt certain producers from liability under the act where all the wheat crop is fed or used for seed or food on the farm.~~ p. D593
3. POULTRY INSPECTION. The Rules Committee reported a resolution for consideration of H.R. 6814, to provide for the compulsory inspection of poultry and poultry products by this Department. pp. 9505-9528

4. RECLAMATION. The Interior and Insular Affairs Committee reported with amendment H.R. 2147, to provide for the construction by Interior of the San Angelo Federal reclamation project, Tex. (H. Rept. 664), and H.R. 6940, to authorize Interior to reimburse owners of lands acquired under the Federal reclamation laws for their moving expenses (H. Rept. 662). p. 9528

A subcommittee of the Interior and Insular Affairs Committee ordered reported with amendment H.R. 4410, to suspend and modify the application of the excess land provisions of the Federal reclamation laws to lands in the East Bench unit of the Mo. River Basin project. p. D593

5. MINERALS. A subcommittee of the Interior and Insular Affairs Committee ordered reported S. 334, to promote the development of phosphate on the public domain. Two similar bills, H.R. 2131 and H.R. 4687, were tabled. p. D593
6. SURPLUS DISPOSAL: FOREIGN TRADE. Conferees were appointed on S. 1314, to extend the Agricultural Trade Development and Assistance Act of 1954 (Public Law 480). pp. 9497-98
7. HOUSING. Agreed to the conference report on H.R. 6659, the housing bill for 1957, which authorizes grants by the Housing and Home Finance Administrator to the land-grant colleges for farm housing research of not to exceed \$300,000 for each of the years 1958 and 1959. pp. 9503-05
8. LEGISLATIVE PROGRAM. Rep. McCormack announced that the Consent Calendar will be called today, Mon., and consideration also will be given to a continuing resolution for temporary appropriations pending the enactment of the remaining regular appropriation bills; the Private Calendar will be called on Tues.; and that there will be no legislative business on Thurs., Fri., or Sat.. p. 9498
9. ADJOURNED until Mon., July 1. p. 9528

SENATE

10. APPROPRIATIONS. The Appropriations Committee ordered reported with amendments H.R. 7665, the Defense Department appropriation bill for 1958, with an increase of \$971,504,000.00 over the House figure. p. D591
11. MINERALS. The Minerals, Materials, and Fuels Subcommittee ordered reported to the Interior and Insular Affairs Committee S. 2039, to clarify the definition of labor imposed as a condition for holding mining claims on Federal lands pending the issuance of patents. p. D591

ITEMS IN APPENDIX

12. ELECTRIFICATION. Rep. Miller, Neb., inserted a speech by Interior Secretary Seaton, "Electric Power for an Expanding Economy." pp. A5185-6
Rep. Engle inserted two editorials criticizing the tax amortization certificates granted the Pacific Gas and Electric Co.. p. A5213
13. SMALL BUSINESS. Speech of Reps. Rhodes and Multer on the opposed criteria of security and non-availability for loans made by the Small Business Administration, urging less stringent loan standards. p. A5195

1. The first part of the paper is devoted to a general discussion of the problem of the origin of life. It is shown that the problem is one of the most important and interesting in the history of science. The author discusses the various theories of the origin of life, and shows that the most probable one is that of spontaneous generation. He also discusses the evidence in favor of this theory, and shows that it is well supported by the facts.

2. The second part of the paper is devoted to a discussion of the problem of the evolution of life. It is shown that the problem is one of the most important and interesting in the history of science. The author discusses the various theories of the evolution of life, and shows that the most probable one is that of gradualism. He also discusses the evidence in favor of this theory, and shows that it is well supported by the facts.

3. The third part of the paper is devoted to a discussion of the problem of the development of life. It is shown that the problem is one of the most important and interesting in the history of science. The author discusses the various theories of the development of life, and shows that the most probable one is that of gradualism. He also discusses the evidence in favor of this theory, and shows that it is well supported by the facts.

4. The fourth part of the paper is devoted to a discussion of the problem of the extinction of life. It is shown that the problem is one of the most important and interesting in the history of science. The author discusses the various theories of the extinction of life, and shows that the most probable one is that of gradualism. He also discusses the evidence in favor of this theory, and shows that it is well supported by the facts.

5. The fifth part of the paper is devoted to a discussion of the problem of the future of life. It is shown that the problem is one of the most important and interesting in the history of science. The author discusses the various theories of the future of life, and shows that the most probable one is that of gradualism. He also discusses the evidence in favor of this theory, and shows that it is well supported by the facts.

6. The sixth part of the paper is devoted to a discussion of the problem of the origin of man. It is shown that the problem is one of the most important and interesting in the history of science. The author discusses the various theories of the origin of man, and shows that the most probable one is that of gradualism. He also discusses the evidence in favor of this theory, and shows that it is well supported by the facts.

7. The seventh part of the paper is devoted to a discussion of the problem of the evolution of man. It is shown that the problem is one of the most important and interesting in the history of science. The author discusses the various theories of the evolution of man, and shows that the most probable one is that of gradualism. He also discusses the evidence in favor of this theory, and shows that it is well supported by the facts.

8. The eighth part of the paper is devoted to a discussion of the problem of the development of man. It is shown that the problem is one of the most important and interesting in the history of science. The author discusses the various theories of the development of man, and shows that the most probable one is that of gradualism. He also discusses the evidence in favor of this theory, and shows that it is well supported by the facts.

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued July 10, 1957
For actions of July 9, 1957
85th-1st, No. 119

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HIGHLIGHTS: House agreed to conference reports on: Agricultural appropriation bill. Extension of Public Law 480. House passed compulsory poultry inspection bill. House committees reported humane slaughter bill, and mutual security authorization bill. Sen. Mundt urged united approach to solve farm problem.

HOUSE

1. AGRICULTURAL APPROPRIATION BILL FOR 1958. Agreed to the conference report on this bill, H.R. 7441. (pp. 10002-08) Agreed to the Senate amendment providing that provisions of the act of August 1, 1956, and provisions of a similar nature in appropriation acts of the State Department for the current and subsequent fiscal years which facilitate the work of the Foreign Service shall be applicable to funds available to the Foreign Agricultural Service. (pp. 10003-05) Agreed to a substitute amendment to limit payments to any one producer under the acreage reserve program to \$3,000 with respect to 1958 crops. (pp. 10005-08) See Digest 117 for other items of interest.
2. FOREIGN TRADE; SURPLUS DISPOSAL. Agreed to the conference report on S. 1314, to extend the Agricultural Trade Development and Assistance Act of 1954 (Public Law 480) for one year, to increase the authorization under Title I from \$3 billion to \$4 billion, and to authorize \$300 million addition under Title II for famine relief. (p. 10052) See Digest 117 for other provisions of the bill agreed to.
3. POULTRY INSPECTION. Passed 93 to 23, with amendments H.R. 6814, to provide for the compulsory inspection by this Department of poultry and poultry products. (pp. 10008-52)

Agreed to the following amendments:

By Rep. Watts, to strike out Sec. 11, on injunction proceedings, which vested in the U.S. district courts jurisdiction to enforce and to prevent violations under the bill. (p. 10047)

By Rep. Watts, to make mandatory, rather than permissive, certain exemptions from the provisions of the bill. (p. 10047)

By Rep. Watts, to exempt from the provisions of the bill poultry producers who sell poultry direct to restaurants, hotels and boarding houses for use in their own dining rooms in the preparation of meals for sales direct to consumers. (p. 10047)

By Rep. Hoffman, to provide that the bill shall not be construed as invalidating any provision of State law which could be valid in the absence of the bill, unless there is a direct and positive conflict between an express provision of the bill and such provision of State laws so that the two cannot be reconciled or consistently stand together. (p. 10050)

Rejected, 27 to 56, an amendment by Rep. Matthews, Fla., to prohibit Federal inspection in major poultry consuming areas unless specifically requested to do so by a State agency having responsibility for poultry inspection laws. (pp. 10047-50)

4. HUMANE SLAUGHTER. The Agriculture Committee reported with amendment H.R. 8308, to provide for the use of humane methods in the slaughter of livestock (H. Rept. 706). p. 10059
5. MUTUAL SECURITY. The Foreign Affairs Committee reported with amendment S. 2130, the mutual security authorization bill for 1958 (H. Rept. 776). p. 10059
6. PUBLIC LANDS. The Interior and Insular Affairs Committee reported with amendment H.R. 8054, to provide for the leasing of oil and gas deposits in lands beneath inland navigable waters in Alaska (H. Rept. 774). p. 10059
Received from Interior a proposed bill to amend the Alaska Public Works Act to "clarify the authority of the Secretary of the Interior to convey federally owned land utilized in the furnishing of public works"; to Interior and Insular Affairs Committee. p. 10059

SENATE

7. FARM PROGRAM. Sen. Mundt urged the farm organizations to unite in an approach towards solving the farm problem, and inserted an editorial, "Farm Meeting Step in Right Direction." pp. 9966-7
Sen. Humphrey inserted a policy resolution by the National Catholic Rural Life Conference urging wiser use of lands chosen for non-agricultural uses, a study of the food distribution system, and of new industrial uses for farm products. pp. 9960-1
8. FORESTS. The Interior and Insular Affairs Committee reported without amendment H.R. 7522, to extend for two years the timber removal rights of the McCloud Lumber Co. in Shasta National Forest (S. Rept. 598). p. 9962
9. SMALL BUSINESS. The Banking and Currency Committee reported an original bill, S. 2504, to extend the Small Business Administration for one year and increase its loan authorization an additional \$75 million (S. Rept. 597). Sen. Clark discussed the bill. pp. 9962, D627
Sen. Carroll inserted a newspaper article, "Small Business Study," on the importance of credit for small businesses. p. 9997

HUMANE SLAUGHTER OF LIVESTOCK

JULY 9, 1957.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. COOLEY, from the Committee on Agriculture, submitted the following

REPORT

[To accompany H. R. 8308]

The Committee on Agriculture, to whom was referred the bill (H. R. 8308) to establish the use of humane methods of slaughter of livestock as a policy of the United States, and for other purposes, having considered the same, report favorably thereon with amendments and recommend that the bill do pass.

The amendments are as follows:

Page 2, line 18, strike out "on and after July 1, 1959," and insert "after December 31, 1959,".

Page 3, line 11, strike out "On and after July 1, 1959," and insert "After December 31, 1959,".

Page 4, line 11, strike out "January" and insert "July".

STATEMENT

The purpose of this bill is to establish a national policy that livestock should be slaughtered in the most humane practicable manner and to implement that policy by requiring that after December 31, 1959, Government procurement of meat and livestock products shall be only from processors who in all their slaughtering operations are complying with methods of slaughter determined by the Secretary of Agriculture to be the most humane practicable.

The bill is a compromise drafted by the committee after extensive hearings and many conferences and meetings with various parties at interest in the matter. It was introduced, by direction of the committee, by the chairman of the Livestock and Feed Grains Subcommittee, which conducted the hearings. The bill seeks to strike a middle course between a number of essentially irreconcilable points of view and, therefore, like most compromises, is probably not entirely satisfactory to any of the protagonists in this matter.

HISTORY OF THE LEGISLATION

The demand for Federal legislation in this field first manifested itself about 2 years ago. In spite of the fact that virtually all of the States have laws against the inhumane treatment of animals, many of which apparently do apply to slaughterhouse operations, the issue of Federal legislation on this matter met a ready response, once it was raised by the humane associations, and the volume of mail received by the committee on this subject is the largest the committee has ever received on any single matter. Demand for the legislation has come not only from humane societies and organizations as such but from many other organizations, individuals, societies, and similar groups.

The first House bill on this matter was introduced on May 5, 1955. During the 84th Congress, three more bills on this subject were introduced and referred to the Committee on Agriculture. All of these bills required a determination by the Secretary of Agriculture as to what methods of slaughter are humane, prohibited any slaughterer engaged in interstate commerce from employing other than humane methods, and invoked criminal penalties for violation of this provision. The bills also broaden the application of the interstate commerce authority, on which Federal jurisdiction was predicated, to include not only those slaughterers shipping meat and meat products in interstate commerce but all slaughterers handling livestock which have been in interstate commerce. This provision would, of course, substantially widen the application of any such law and make it apply to large numbers of small, local meatpackers who do not come within the present definition of interstate commerce.

No hearings were held in the 84th Congress on these House bills. Hearings were held in the Senate, however, on a number of similar bills and late in the 2d session of the 84th Congress (July 23, 1956) the Senate passed a bill (S. 1636) which merely stated a congressional policy to provide for research and study into improved methods of slaughter and the encouragement of use of such methods by slaughterers, authorized the appointment of a committee to consider this matter, and required a report by the committee within 2 years. Because of the date on which the measure passed the Senate, there was no action in the House on this bill.

ACTION IN THE 85TH CONGRESS

In the interim between the 84th and 85th Congresses, the volume of mail continued to mount, and early in the 85th Congress eight bills on this subject were introduced in the House and referred to the Committee on Agriculture. All but one of these bills took the same general approach as those introduced in the 84th Congress, requiring a determination by the Secretary of Agriculture as to humane methods of slaughter and making it a criminal offense for any slaughterer engaged in interstate commerce to use any other methods. One of the bills (H. R. 5820) required the Secretary of Agriculture to conduct research into humane methods and encourage the adoption by the packing industry of such methods, and authorize the appointment of an advisory committee on this matter.

HEARINGS

Hearings on the various bills referred to the committee were conducted by the Subcommittee on Livestock and Feed Grains on April 2 and April 12, 1957. The hearings served chiefly to bring out a number of conflicting and largely irreconcilable points of view with respect to this legislation and to point up some of the technical problems involved. The humane societies, most of the individuals who appeared, the labor unions, and others strongly favored the bills making slaughter by other than humane methods, as determined by the Secretary of Agriculture, a criminal offense and bringing within the jurisdiction of such a law all slaughterers of animals who purchase livestock in interstate commerce. The meatpacking industry, on the other hand, was opposed to any legislation on this matter, contending that the technical problems involved are too complex to be handled by legislation and that the industry itself is moving as rapidly as is possible toward the adoption of more humane slaughtering methods.

The Department of Agriculture took the position that there is not now sufficient knowledge of various methods of slaughter to enable the Secretary to make a determination as to which methods are humane and which are not, that such a determination would have to be largely a subjective, rather than an objective finding, that enforcement of a criminal statute would be difficult if not impossible, and favoring the bill merely providing for the appointment of an advisory committee and study of the matter by the Department of Agriculture. One of the general farm organizations favored a criminal statute but with jurisdiction based on interstate shipment of meat and livestock products, rather than purchase of live animals. Another general farm organization opposed any compulsion in connection with the legislation and favored the research and study approach. Spokesmen for the Jewish religious faith expressed concern over the implications of any humane slaughter legislation with respect to the kosher slaughtering of animals.

DEVELOPMENT OF H. R. 8308

At the conclusion of the hearings the subcommittee felt that it was not satisfied with any of the bills which were then before it for consideration. It recognized the difficulties and the problem of constitutionality involved in a criminal statute asserting Federal jurisdiction in an area where the States not only have authority to act but where they have exercised that authority. It recognized some of the technical problems involved and the difficulty and expense of radically changing slaughtering procedures and installing facilities for new methods. The committee also recognized some of the research problems involved and the difficulty of requiring the Secretary of Agriculture to make an arbitrary decision that certain methods of slaughter are "humane," while other methods are not.

Accordingly the subcommittee instructed its chairman and its counsel to undertake the drafting of a bill which would take these various factors into consideration and which would more nearly meet the viewpoint of the subcommittee. For some time it was hoped that a bill might be drafted which would meet with the approval of the major parties at interest in this matter; but after numerous conferences and negotiations with representatives of the various viewpoints it

appeared that this was, for the moment at least, impossible. The attitudes of the various parties appear to be so divergent as to be in some respects irreconcilable.

Having carried efforts to draft a mutually satisfactory compromise bill as far as such efforts appeared likely to produce any results, the subcommittee voted to refer the whole matter, including its various compromise proposals, to the full Committee on Agriculture. After consideration of the various proposals, the full committee approved the introduction by the chairman of the Livestock Subcommittee of the bill, H. R. 8308, which is reported herewith with relatively minor amendments.

ANALYSIS OF THE BILL

The purpose of H. R. 8308 is to establish as a national policy that livestock should be slaughtered and handled in connection with slaughter only by the "most humane practicable methods," to require the determination of such methods by the Secretary of Agriculture, and to encourage the adoption of such methods by the livestock industry by providing (a) that Federal procurement shall be only from packers who are using such methods and (b) that meat products produced by plants using approved methods shall be marked to so indicate.

Section 1

This section is the general statement of national policy. It is to be noted that this policy goes further than the statement of policy in the bills previously considered by the committee in that it refers not only to slaughter of livestock but also to the handling of such livestock in connection with slaughter. The phrase "the most humane practicable methods" is defined in section 4 (a) and will make possible an objective determination by the Secretary of Agriculture whereas the use of the phrase "humane methods" which appeared in all of the bills considered by the subcommittee would have called upon the Secretary for an absolute determination which might be virtually impossible to make.

Section 2

This section spells out to some extent the general statement of policy enunciated in section 1. It provides (a) that certain practices in connection with slaughter and with the handling of animals in connection with slaughter shall not be in conformity with the stated public policy but that (b) slaughtering in accordance with the practices and requirements of any established religious faith is in conformity with that policy. This provision does not authorize any exemption or exception to the requirement of humane slaughter. It is a direct legislative finding that the ritualistic practices of any established religious faith are humane—but only when the slaughter is actually a part of such practices and requirements. It is to be noted that the approval given to slaughtering in connection with the practices of a religious faith does not necessarily extend to the handling of livestock in connection with such slaughter.

Section 3

This section, as amended by the committee amendment, provides that after December 31, 1959, Federal Government procurement of livestock products shall be limited to products which have been

produced or processed by slaughterers complying with the humane slaughter methods determined by the Secretary of Agriculture. This provision would be largely self-enforcing by requiring each supplier to make a statement of eligibility under the act to supply such products. The cited section of the United States Code (18 U. S. C. 287) is the section making it a felony to present any claim to the Government "knowing such claim to be false, fictitious, or fraudulent."

Section 4

Subsection (a) authorizes and directs the Secretary of Agriculture to conduct and foster research to determine methods of slaughter and handling of livestock in connection with slaughter which are "practicable with reference to the speed and scope of slaughtering operations and humane with reference to other existing methods and then current scientific knowledge"—thus defining the term "the most humane practicable methods" which appears in section 1. x

Subsection (b) directs the Secretary to make a designation of these methods with respect to each species of livestock on or before June 30, 1958. It authorizes him, if he deems it advisable, to make any such designation by designating methods which are not in conformity with the policy expressed in the act, instead of by designating methods which are in conformity with such policy.

Subsection (c) directs the Secretary, in connection with the inspection of animals under the Meat Inspection Act to identify by a suitable means carcasses of animals that have been slaughtered in accordance with the public policy of this act.

Section 5

This section authorizes the Secretary to establish an advisory committee of 12 members to make recommendations relative to the research authorized by the act and the determinations required of the Secretary, and with respect to obtaining general public and industry cooperation in the adoption of humane slaughter methods. The committee would be a continuing body and would have authority to meet on its own motion or at the call of the Secretary. The section requires that reports and recommendations of the committee with respect to new or improved methods shall be made available to the public. x



Union Calendar No. 259

85TH CONGRESS
1ST SESSION

H. R. 8308

[Report No. 706]

IN THE HOUSE OF REPRESENTATIVES

JUNE 21, 1957

Mr. POAGE introduced the following bill; which was referred to the Committee on Agriculture

JULY 9, 1957

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Omit the part struck through and insert the part printed in italic]

A BILL

To establish the use of humane methods of slaughter of livestock as a policy of the United States, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Congress finds that the use of humane methods
4 in the slaughter of livestock prevents needless suffering;
5 results in safer and better working conditions for persons
6 engaged in the slaughtering industry; brings about improve-
7 ment of products and economies in slaughtering operations;
8 and produces other benefits for producers, processors, and
9 consumers which tend to expedite an orderly flow of live-
10 stock and livestock products in interstate and foreign com-
11 merce. It is therefore declared to be the policy of the

1 United States that the slaughtering of livestock and the
2 handling of livestock in connection with slaughter shall be
3 carried out only by the most humane practicable methods.

4 SEC. 2. No method of slaughter or handling in connec-
5 tion with slaughter shall be deemed to comply with such
6 public policy unless, (a) in the case of cattle, calves, horses,
7 mules, sheep, swine, and other livestock, all animals are
8 rendered insensible to pain, by a single blow or gunshot or an
9 electrical, chemical, or other means that is rapid and effec-
10 tive before being shackled, hoisted, thrown, cast, or cut, or
11 (b) by slaughtering in conformity with the practices and
12 requirements of any established religious faith which practices
13 and requirements are hereby declared to be humane within
14 the meaning of this Act.

15 SEC. 3. The public policy declared herein shall be taken
16 into consideration by all agencies of the Federal Government
17 in connection with all procurement and price support pro-
18 grams and operations and ~~on and after July 1, 1959~~ *after*
19 *December 31, 1959*, no agency or instrumentality of the
20 United States shall contract for or procure any livestock
21 products produced or processed by any slaughterer or pro-
22 cessor which in any of its plants or in any plants of any
23 slaughterer or processor with which it is affiliated slaughters
24 or handles in connection with slaughter livestock by any
25 methods other than methods designated and approved by the

1 Secretary of Agriculture (hereinafter referred to as the
2 Secretary) pursuant to section 4 hereof: *Provided*, That
3 during the period of any national emergency declared by
4 the President or the Congress, the limitations on procure-
5 ment required by this section may be modified by the
6 President to the extent determined by him to be necessary
7 to meet essential procurement needs during such emergency.
8 For the purposes of this section a slaughterer or processor
9 shall be deemed to be affiliated with another slaughterer or
10 processor if it controls, is controlled by, or is under common
11 control with, such other slaughterer or processor. ~~On and after~~
12 ~~July 1, 1959~~ *After December 31, 1959*, each supplier from
13 which any livestock products are procured by any agency
14 of the Federal Government shall be required by such
15 agency to make such statement of eligibility under this
16 section to supply such livestock products as, if false, will
17 subject the maker thereof to prosecution, title 18, United
18 States Code, section 287.

19 SEC. 4. In furtherance of the policy expressed herein
20 the Secretary is authorized and directed—

21 (a) to conduct, assist, and foster research, investi-
22 gation, and experimentation to develop and determine
23 methods of slaughter and the handling of livestock in
24 connection with slaughter which are practicable with
25 reference to the speed and scope of slaughtering opera-

1 tions and humane with reference to other existing
2 methods and then current scientific knowledge;

3 (b) on or before June 30, 1958, and at such times
4 thereafter as he deems advisable, to designate methods
5 of slaughter and of handling in connection with slaughter
6 which, with respect to each species of livestock, con-
7 form to the policy stated herein. If he deems it more
8 effective, the Secretary may make any such designation
9 by designating methods which are not in conformity with
10 such policy. Designations by the Secretary subsequent
11 to ~~January~~ *July* 1, 1959, shall become effective for pur-
12 poses of section 3 hereof 180 days after their publication
13 in the Federal Register;

14 (c) to provide suitable means of identifying the
15 carcasses of animals inspected and passed under the
16 Meat Inspection Act (21 U. S. C. 71 and the following)
17 that have been slaughtered in accordance with the
18 public policy declared herein.

19 SEC. 5. To assist in implementing the provisions of sec-
20 tion 4, the Secretary is authorized to establish an advisory
21 committee. The functions of the Advisory Committee shall
22 be to consult with the Secretary and other appropriate
23 officials of the Department of Agriculture and to make
24 recommendations relative to (a) the research authorized
25 in section 4; (b) obtaining the cooperation of the public,

1 producers, farm organizations, industry groups, humane asso-
2 ciations, and Federal and State agencies in the furtherance
3 of such research and the adoption of improved methods;
4 and (c) the designations required by section 4. The Com-
5 mittee shall be composed of twelve members, of whom one
6 shall be an officer or employee of the Department of Agri-
7 culture designated by the Secretary (who shall serve as
8 Chairman) ; two shall be representatives of national organi-
9 zations of slaughterers; one shall be a representative of the
10 trade-union movement engaged in packinghouse work; one
11 shall be a representative of the general public; two shall
12 be representatives of livestock growers; one shall be a repre-
13 sentative of the poultry industry; two shall be representa-
14 tives of national organizations of the humane movement; one
15 shall be a representative of a national professional veterinary
16 organization; and one shall be a person familiar with the
17 requirements of religious faiths with respect to slaughter.
18 The Department of Agriculture shall assist the Committee
19 with such research personnel and facilities as the Depart-
20 ment can make available. Committee members other than
21 the Chairman shall not be deemed to be employees of the
22 United States and are not entitled to compensation but the
23 Secretary is authorized to allow their travel expenses and
24 subsistence expenses in connection with their attendance at
25 regular or special meetings of the Committee. The Commit-

tee shall meet at least once each year and at the call of the Secretary and shall from time to time submit to the Secretary such reports and recommendations with respect to new or improved methods as it believes should be taken into consideration by him in making the designations required by section 4 and the Secretary shall make all such reports available to the public.

87TH CONGRESS
1ST SESSION

H. R. 8308

[Report No. 706]

A BILL

To establish the use of humane methods of slaughter of livestock as a policy of the United States, and for other purposes.

By Mr. POAGE

JUNE 21, 1957

Referred to the Committee on Agriculture

JULY 9, 1957

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

Issued July 15, 1957

For actions of July 12 and 13, 1957

85th-1st, Nos. 122 & 123

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HIGHLIGHTS: Senate subcommittee ordered reported bills to: provide against dissemination of livestock and poultry diseases, prohibit onion futures trading, relieve persons of expense for kaphra beetle eradication, require use of humane slaughter methods, permit charges for grain standards inspection appeals, provide regulations and procedures for farmer-elected committee system, and protect public from communicable poultry diseases. Sen. Thye criticized butterfat imports from New Zealand.

SENATE - July 12

1. ~~LIVESTOCK; POULTRY; GRAIN; COMMITTEES; COMMODITIES; INSECT CONTROL; HUMANE SLAUGHTER.~~ The Agricultural Research and General Legislation Subcommittee ordered reported to the Agriculture and Forestry Committee the following bills (p. D645):

Without amendment:

S. 1628, to provide further protection against the dissemination of diseases of livestock or poultry;

S. 1756, to protect the public against communicable poultry diseases through the imposition of quarantines;

S. 2007, to permit this Department to charge fees for certain appeals of inspections under the Grain Standards Act;

S. 1436, to regulate the procedures under which the Soil Conservation and Domestic Allotment Act would be administered by democratically elected farmer committeemen; and

S. 778 and S. 1514, to amend the Commodity Exchange Act to prohibit trading in onion futures;

With amendment:

S. 1805, to relieve certain persons of expenses connected with past eradication of the kaphra beetle; and

S. 1497, to require humane methods in the slaughter of livestock and poultry.

2. APPROPRIATIONS. The Appropriations Committee reported with amendments H.R. 3090, the public works appropriation bill for 1958 (S. Rept. 609). p. 10312
3. FARM INCOME. Sen. O'Mahoney inserted an article on the decline of farm income in the Missouri Basin. p. 10325
4. DAIRY PRODUCTS; FOREIGN TRADE. Sen. Thye urged that imports of butterfat from New Zealand be stopped to prevent injury to American farmers. pp. 10334-5
5. PERSONNEL. Sens. Symington, Goldwater, Javits, and Stennis discussed the Cordiner report on professional and technical compensation in the Armed Services. pp. 10314-16
Sen. Green inserted correspondence with the Civil Service Commission concerning a political parties alleged advance information of Civil Service opening examinations. pp. 10321-2
6. FISCAL POLICY. Sen. Carlson inserted the statement of Sen. Byrd concluding the testimony of Treasury Secretary Humphrey before the Finance Committee, on inflation and interest rates. pp. 10371-2
7. ELECTRIFICATION. S. 2406, to authorize construction of improvement works on the Niagara River, remained the Senate's pending business. p. 10337

SENATE - July 13

8. CORN; RESEARCH. Sen. Curtis inserted two articles on the development of a species of corn 82% amylos starch, used in plastics. pp. 10446-7
9. BUDGET. Sen. Clark inserted a column alleging that the President had wavered about his own budget in agreeing that it might be cut. p. 10420
10. ATOMIC ENERGY. Sen. Wiley urged the development of financial protection against peacetime nuclear hazards, and inserted an article "Comment on the Atomic Industrial Forum Report on Financial Protection Against Atomic Hazards." pp. 10442-6
11. RECESSED until Mon., July 15. p. 10482

HOUSE - July 12

12. BUDGETING; EXPENDITURES. Reps. Cannon, Taber, and others discussed the Budget Bureau letter to the Federal agencies instructing them, according to Rep. Cannon, to keep 1953 expenditures "at or below the level for the fiscal year 1957." pp. 10385, 10386-87
13. NATIONAL DEFENSE. Received the quarterly report on borrowing authority from the Office of Defense Mobilization. p. 10413
14. LEGISLATIVE PROGRAM. Rep. McCormack announced that the Consent Calendar will be called Mon., July 15, to be followed by consideration, under suspension on the rules, of S. 1747, the poultry inspection bill, and H.R. 7576, to amend the Federal Civil Defense Act. After disposal of these measures S. 2130, the mutual security authorization bill, will be taken up. p. 10396
15. ADJOURNED until Mon., July 15. p. 10413

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

Issued July 25, 1957

For actions of July 24, 1957

85th-1st No. 131

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

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HIGHLIGHTS: House Rules Committee cleared bills to exempt from quotas certain wheat used on farm where produced, and to provide self-help meat promotion program. Senate committee submitted report on bill to transfer certain work under Packers and Stockyards Act to FTC.

HOUSE

1. WHEAT; MEAT PROMOTION. The Rules Committee reported resolutions for consideration of H. R. 8456, to exempt certain wheat producers from liability where all the wheat crop is fed or used for seed or food on the farm where produced, and H.R. 7244, to amend the Packers and Stockyards Act so as to permit deductions for a self-help meat promotion program. p. 11454
2. HUMANE SLAUGHTER. The "Daily Digest" states that the Rules Committee "granted an open rule with 1 hour debate on H. R. 8308, relating to humane slaughter of livestock." p. D688
3. ELECTRIFICATION. The Interior and Insular Affairs Committee voted 16 to 14 to not report H. R. 5, to authorize the construction of the Hells Canyon dam. p.D688
4. WATER UTILIZATION. The Interior and Insular Affairs Committee ordered reported with amendment S. 1556, to grant the consent of Congress to Mont., N. Dak., S. Dak., and Wyo. to negotiate and enter into a compact relating to their interest in, and the apportionment of, the waters of the Little Missouri River. p. D688

5. FOREIGN TRADE. The Ways and Means Committee ordered reported H. R. 38, to amend the Tariff Act of 1930 so as to provide for the temporary free importation of casein, and H. R. 7096, to exempt istle and Tampico fiber from the Tariff Act of 1930. p. D689
6. APPROPRIATIONS. Agreed to the conference report on H. R. 7665, the Defense Department appropriation bill for 1958. pp. 11389-96
7. DROUGHT RELIEF. Rep. Rogers urged that Mass. be declared a disaster area in order that "Federal help can be made available to those farmers and others needing immediate assistance." p. 11453
8. ATOMIC ENERGY. Rep. Coad discussed the effects of radioactive fallout and radiation, and inserted a newspaper article on the matter. p. 11450
9. PATENTS. A subcommittee of the Judiciary Committee ordered reported with amendment H.R. 8194, to fix the fee payable to the Patent Office, and ordered "adversely reported H.R. 2522, and similar bills, relating to patent extensions." p. D688

SENATE

10. FARM PROGRAM. Both Houses received from this Department a proposed bill to repeal the law which permits inter-warehouse grain shipments without the cancellation of warehouse receipts in certain circumstances, subject to USDA regulations; to Senate Agriculture and Forestry Committee and House Agriculture Committee. pp. 11328, 11453
11. TRANSPORTATION. The Interstate and Foreign Commerce Committee reported with amendments S. 1384, to revise the definition of contract carrier by motor vehicle (S. Rept. 703). p. 11330
12. MEATPACKING. The Judiciary Committee submitted its report on unfair practices in the meatpacking industry, to accompany S. 1356, which transfers to the FTC jurisdiction over monopolistic acts in that industry (S. Rept. 704). p. 11330
13. WILDERNESS. Sen. Humphrey inserted a Ravalli County, Mont., Fish and Wildlife Ass'n resolution favoring H. R. 500 and other bills to establish a National Wilderness Preservation System. p. 11329
14. FEDERAL-STATES RELATIONS. Sen. Frear inserted a Del. House resolution supporting efforts to restore certain rights to the States. p. 11328
15. INTEREST RATES. Sen. Martin inserted an editorial, "The Treasury's Dilemma," on the problem of interest rate increases and the public debt. p. 11335
16. INFLATION. Sen. Monroney inserted an editorial and an article on inflation which contended present controls were insufficient, and discussed the farm income problem with Sen. Gore. pp. 11341-2
17. SMALL BUSINESS. Sen. Mansfield inserted a letter urging improvements in the Small Business Administration. pp. 11335-6
18. TAX AMORTIZATION. Sen. Morse inserted a column on tax loopholes and stated that tax laws had lead to "grand larceny within the law," under the present Administration. p. 11337

House of Representatives

Chamber Action

Bills Introduced: 12 public bills, H. R. 8881-8892; 4 private bills, H. R. 8893-8896; and 12 resolutions, H. J. Res. 418-423, and H. Res. 361-366, were introduced.

Page 11454

Bills Reported: Reports were filed as follows:

H. R. 7654, a private bill (H. Rept. 865);

H. R. 8547, authorizing the disposal of certain uncompleted naval vessels (H. Rept. 866);

H. R. 8522, amending and clarifying the reemployment provisions of the Universal Military Training and Service Act (H. Rept. 867);

S. 1063, relating to care and maintenance of the Surrender Tree site in Santiago, Cuba (H. Rept. 868);

H. R. 817, reduction of cabaret tax from 20 percent to 10 percent, amended (H. Rept. 869);

H. R. 232, relating to breach of contract damages, amended (H. Rept. 870);

H. R. 6894, amending the Tariff Act of 1930 relative to unmanufactured mica and mica films and splittings, amended (H. Rept. 871);

H. R. 8531, providing an interim system for appointment of cadets to the U. S. Air Force Academy (H. Rept. 872);

H. Res. 361, providing for consideration of, and 1 hour of debate on, S. 1856, Airways Modernization Act (H. Rept. 873);

H. Res. 362, providing for consideration of, and 1 hour of debate on, H. R. 7244, to permit deductions for a self-help meat promotion program (H. Rept. 874); and

H. Res. 363, providing for consideration of, and 1 hour of debate on, H. R. 8456, to exempt certain wheat producers from liability under Agricultural Adjustment Act of 1938 when all the wheat crop is fed or used for seed or food on the farm (H. Rept. 875).

Pages 11453-11454

Defense Appropriations: By a voice vote the House adopted and sent to the Senate the conference report on H. R. 7665, making appropriations for the Department of Defense for fiscal year 1958. Senate amendments Nos. 3 and 11 were in disagreement and on which the House voted to recede and concur therein.

Pages 11389-11396

School Construction: Concluded general debate on H. R. 1, relating to Federal assistance for school construction, and commenced reading the bill for amendments. Tentatively adopted an amendment stating it to be the intent of Congress that the Federal Government shall not in any way control the educational system. When the Committee of the Whole rose there was pending a substitute amendment to allow 1 percent

of all income taxes collected from the States to be returned to the respective States for educational purposes.

Pages 11399-11449

Commission Resignation: Received and read a letter of resignation of Representative August H. Andresen from membership on the Migratory Bird Conservation Commission.

Page 11449

Program for Thursday: Adjourned at 5:19 p. m. until Thursday, July 25, at 12 o'clock noon, when the House will further consider H. R. 1, relating to Federal assistance for school construction, also may act on H. R. 7697, to provide additional facilities necessary for the administration and training of units of the Reserve components of the Armed Forces of the United States.

Committee Meetings

HOG-CHOLERA VIRUS

Committee on Agriculture: Subcommittee on Livestock and Feed Grains held hearing on H. R. 5933, to control the preparation, distribution, importation, and exportation of virulent hog-cholera virus.

MILITARY PERSONNEL

Committee on Armed Services: Held hearing on H. R. 8704, to prohibit the delivery of members of the Armed Forces of the United States to the jurisdiction of any foreign nation. Deputy Under Secretary of State Robert Murphy and Mansfield D. Sprague, Assistant Secretary of Defense for International Security Affairs, were heard. Hearings continue tomorrow with Members of Congress as witnesses.

FINANCIAL INSTITUTIONS ACT

Committee on Banking and Currency: Continued hearings on S. 1451 and H. R. 7026, Financial Institutions Act of 1957. Testimony was received from Ray M. Gidney, Comptroller of the Currency, who will continue his testimony tomorrow.

D. C. TAXICABS

Committee on the District of Columbia: Subcommittee on Public Utilities, Insurance, and Banking met in an evening session in a continuation of hearings on certain aspects of the taxicab business in the District of Columbia.

WELFARE AND PENSION PLANS

Committee on Education and Labor: Resumed hearings with regard to welfare and pension benefit plans. Hearings continue tomorrow.

FOREIGN AFFAIRS MISCELLANY

Committee on Foreign Affairs: Met in executive session and ordered favorably reported to the House:

S. 2488, payment to Government of Denmark (Danish vessels);

H. J. Res. 342, Buffalo and Fort Erie Public Bridge Authority;

H. R. 7535, Corregidor-Bataan Memorial Commission; and

S. 1063, vesting in the American Battle Monuments Commission the care and maintenance of Surrender Tree site in Santiago, Cuba.

CIGARETTE ADVERTISING

Committee on Government Operations: Subcommittee on Legal and Monetary Affairs continued hearings with regard to certain claims of filter-cigarette manufacturers and what action has been taken by the Federal Trade Commission in protecting the public from false and misleading advertising. Hearings continue tomorrow.

WHEAT STORAGE

Committee on Government Operations: Subcommittee on Intergovernmental Relations continued hearings with regard to the storage of certain wheat by the Burrus Mills Co. in association with the Commodity Credit Corporation.

INTERIOR MISCELLANY

Committee on Interior and Insular Affairs: By a rollcall vote of 16-14 approved subcommittee action of striking the enacting clause of H. R. 5, relating to the construction of the Hells Canyon Dam.

The committee also reported favorably to the House with amendments the following bills:

H. R. 6760, to grant to the Territory of Alaska title to certain lands beneath tidal waters;

S. 999, to convey certain land to the State of North Dakota;

S. 1556, granting the consent of Congress to the States of Montana, North Dakota, South Dakota, and Wyoming to negotiate and enter into a compact relating to their interest in, and the apportionment of, the waters of the Little Missouri River; and

H. R. 4215, amending sections 22 and 24 of the Organic Act of Guam (without amendment).

INTERSTATE COMMERCE MISCELLANY

Committee on Interstate and Foreign Commerce: Subcommittee on Transportation and Communication concluded hearings on H. R. 369, 370, and 5771, relating to standard time; H. R. 5330, relating to appointments under the Locomotive Inspection Act; and H. R. 3626, to alleviate freight-car shortages.

CHEMICAL FOOD ADDITIVES

Committee on Interstate and Foreign Commerce: Subcommittee on Health and Science continued hearing on

H. R. 6747, and similar bills, to amend the Food and Drug Act relating to chemical food additives. Hearings will be resumed on August 6 and 7 at which time a panel of scientists will be heard.

CLAIMS

Committee on the Judiciary: Subcommittee No. 2 met in executive session and ordered favorably reported to the full committee seven private claim bills.

JUDICIAL MISCELLANY

Committee on the Judiciary: Subcommittee No. 3 met in executive session and ordered favorably reported to the full committee H. R. 8194 (amended), to codify recent military law; and H. R. 7151 (amended), to fix the fees payable to the Patent Office.

The subcommittee also ordered adversely reported H. R. 2522, and similar bills, relating to patent extensions.

BANKRUPTCY ACT—INCORPORATIONS

Committee on the Judiciary: Subcommittee No. 4 met in executive session and ordered favorably reported to the full committee H. R. 7671 (amended), amending the Federal Bankruptcy Act to make certain equipment trust provisions applicable to aircraft and aircraft equipment of air carriers.

The subcommittee also held a hearing on H. R. 4412, and other similar bills, to incorporate the Veterans of World War I; and received testimony from the following witnesses: Representatives Lane, Gray, Miller of California, Wier, Tollefson, Cederberg, Vursell, Magnuson, and McFall. Statements for the record were submitted by Representatives Burdick, Ullman, and Moss.

The subcommittee also held a hearing on H. R. 4838, to incorporate the Military Order of the Purple Heart; and received testimony from Representative Teague of Texas.

BASEBALL

Committee on the Judiciary: Antitrust Subcommittee resumed hearings on H. R. 5319, and related bills, to provide that the words "trade or commerce" as used in any provision of the antitrust laws shall include the interstate business of baseball. Hearings continue tomorrow.

AIRWAYS MODERNIZATION ACT

Committee on Rules: Granted an open rule with 1 hour of debate on S. 1856, Airways Modernization Act. Heard on the rule were Representatives Harris, O'Hara of Minnesota, and Dingell.

HUMANE SLAUGHTER OF LIVESTOCK

Committee on Rules: Granted an open rule with 1 hour of debate on H. R. 8308, relating to humane slaughter of livestock. Heard on the rule were Representatives Poage and August H. Andresen.

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued July 30, 1957
For actions of July 29, 1957
85th-1st, No. 134

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HIGHLIGHTS: House Rules Committee cleared (July 26) humane slaughter bill. Sen. Johnson announced unanimous consent would be requested to bring up certain pending measures on Wed. and Thurs.. Sen. Hickenlooper and others introduced and Sano. ' Hickenlooper and Thye discussed bill to provide alternative price support program for 1958 corn crop.

SENATE

1. FARM INCOME. Sen. Humphrey contrasted the growth in interest income with the decline in farm income and claimed "It has been brought about by deliberate administrative action." pp. 11665-6
2. PERSONNEL. Sen. Wiley urged that there be no forced retirement at 70 or any set age, in order to utilize the experience and ability of those desiring work. p. 11661
3. ELECTRIFICATION; RECLAMATION. Sen. Neuberger contrasted the President's letter on the Hells Canyon bill with his "silence" on Federal aid to schools. pp. 11661-2
Sen. Morse urged a reopening of the hearings on constructions of Mountain Sheep and Pleasant Valley dams and inserted letters to the Federal Power Commission by the Ore. Public Utility Commissioner requesting such hearings. p. 11666
4. FORESTRY. Sen. Neuberger urged the renaming of the Clearwater National Forest the Bernard DeVoto National Forest, and inserted an editorial describing how Regional Forester C. J. Olsen of Ogden, Utah, scattered Mr. DeVoto's ashes over the Lochsa River valley. p. 11663

5. HOUSING LOANS. Sen. Humphrey urged the lowering of home mortgage downpayments and inserted an article on the newest housing bond rate and a table comparing typical mortgage terms in the 1920's with those of today. p. 11665
6. STATEHOOD. Received from the Advertising Ass'n of the West a resolution favoring Hawaiian statehood. p. 11651
7. SMALL BUSINESS. Sen. Thye urged extension of the Small Business Administration and inserted a telegram to the President from the National Federation of Independent Business urging this extension. p. 11660
8. LEGISLATIVE PROGRAM. Sen. Johnson announced his intention of requesting a unanimous consent agreement to consider certain matters Wed. and Thurs., including the agricultural appropriation bill, mutual security, extension of Public Law 480, and other bills on the calendar. p. 11713
9. PERSONNEL. As reported (see Digest 132), S. 734 provides as follows: Increases pay of GS employees by 7½%, and provides a comparable increase to employees "whose salaries are frozen under a pay savings provision of law." Increases the number of supergrades from 1,226 to 1,625 (increasing GS-17 from 329 to 430, and increasing GS-18 from 130 to 170). Increases the number of scientific positions that may be established pursuant to Public Law 313, 80th Cong., including 35 for this Department. Provides that, with certain exceptions, no salary above \$16,000 shall be increased and no salary shall be increased to more than such amount. Establishes a freeze on civilian employment during the quarter beginning October 1, 1957. Provides that, during succeeding quarters, appointments may not be made to more than 1/3 of the vacancies occurring during the preceding quarter. Exempts from the restrictions on filling vacancies, positions filled from within a department by transfer or promotion, positions financed from a trust fund, positions held by seasonal or casual workers or employees serving without pay, positions exempted by the President, etc.. Provides that the employment restrictions shall apply when employment exceeds 2,150,000 or a ceiling determined by the President.

HOUSE

10. HUMANE SLAUGHTER. The Rules Committee reported (July 26) a resolution for consideration of H.R. 8308, to provide for the use of humane methods in the slaughter of livestock. p. 11753
11. ELECTRIFICATION. The Rules Committee reported a resolution for consideration of H.R. 8643, to authorize the construction of certain works of improvement in the Niagara River for power. p. 11753
Rep. Green, Ore., urged the Federal Power Commission to reject the recommendation of one of its examiners to approve the license for private utilities to develop dams at the Pleasant Valley and Mountain Sheep sites on the Snake River, and inserted correspondence relative to the matter. pp. 11728-29
12. FARM LOANS. Passed, 48 to 24 with amendments, H.R. 3753, to enable the Secretary of Agriculture to extend financial assistance to desert-land entrymen to the same extent as such assistance is available to homestead entrymen. Agreed to an amendment by Rep. Marshall to provide that in order to qualify for such loans a person must meet all requirements of residence, possession, and use required by the Homestead Acts. pp. 11735-41

CONSIDERATION OF H. R. 8308

JULY 26, 1957.—Referred to the House Calendar and ordered to be printed

Mr. SMITH of Virginia, from the Committee on Rules, submitted the following

R E P O R T

[To accompany H. Res. 376]

The Committee on Rules, having had under consideration House Resolution 376, report the same to the House with the recommendation that the resolution do pass.



House Calendar No. 105

85TH CONGRESS
1ST SESSION

H. RES. 376

[Report No. 883]

IN THE HOUSE OF REPRESENTATIVES

JULY 26, 1957

Mr. SMITH of Virginia, from the Committee on Rules, reported the following resolution; which was referred to the House Calendar and ordered to be printed

RESOLUTION

1 *Resolved*, That upon the adoption of this resolution it
2 shall be in order to move that the House resolve itself into
3 the Committee of the Whole House on the State of the
4 Union for the consideration of the bill (H. R. 8308) to
5 establish the use of humane methods of slaughter of livestock
6 as a policy of the United States, and for other purposes.
7 After general debate, which shall be confined to the bill and
8 continue not to exceed one hour, to be equally divided and
9 controlled by the chairman and ranking minority member
10 of the Committee on Agriculture, the bill shall be read for
11 amendment under the five-minute rule. At the conclusion
12 of the consideration of the bill for amendment, the Com-

1 mittee shall rise and report the bill to the House with such
2 amendments as may have been adopted, and the previous
3 question shall be considered as ordered on the bill and
4 amendments thereto to final passage without intervening
5 motion except one motion to recommit.

RESOLUTION

Providing for the consideration of H. R. 8308,
a bill to establish the use of humane meth-
ods of slaughter of livestock as a policy of
the United States, and for other purposes.

By Mr. SMITH of Virginia

JULY 26, 1957

Referred to the House Calendar and ordered to be
printed

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

Issued February 5, 1958

For actions of February 4, 1958

85th-2d, No. 18

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HIGHLIGHTS: House passed humane slaughter bill. House passed bill to suspend import duties on certain coarse wools. Sen. Murray introduced and discussed bill to increase authorization for forest highways. Sen. Humphrey and Rep. Cooley introduced and Sen. Humphrey discussed bills to extend and expand Public Law 480.

HOUSE

1. HUMANE SLAUGHTER. Passed with amendments H. R. 8308, to provide for the use of humane methods in the slaughter of livestock. pp. 1428-49

Agreed to amendments by Rep. Anfuso to provide that slaughter shall be carried only by "humane methods" instead of by "the most humane practicable methods," to provide that slaughter in accordance with the ritual requirements of the Jewish faith is considered humane, and to add a new section to provide that nothing in the act shall be construed to prohibit any religious group from slaughtering livestock in conformity with the practices and requirements of its religion. pp. 1437-41

Rejected the following amendments:

- By Rep. Dorn, by a vote of 73 to 122, to substitute entirely new language which would have provided for the Department to make a study of humane slaughter methods and report to the Congress by Jan. 1, 1959. pp. 1441-47
- By Rep. Gross, by a vote of 44 to 100, to strike out sec. 5 authorizing the Secretary to appoint an advisory committee on humane slaughter methods. pp. 1448-49

2. WOOL IMPORTS. Passed as reported, by a vote of 250 to 129, H. R. 2151, to suspend for 3 years the import duties on certain coarse wools imported under bond for use in the manufacture of rugs and carpets. pp. 1428, 1449-65
3. FOREIGN TRADE; SURPLUS COMMODITIES. Both Houses received from the President the semiannual report on activities carried on under Public Law 480 (H. Doc. 323). pp. 1365, 1428
Rep. Neal urged greater restrictions on the importation of foreign products. pp. 1465-66

SENATE

4. FOREIGN TRADE. The Banking and Currency Committee reported without amendment S. 3149, to increase the lending authority of the Export-Import Bank (S. Rept. 1270). p. 1366
Both Houses received from the Comptroller General an audit report on the Export-Import Bank for fiscal year 1957. pp. 1365-6, 1467
5. DAIRY INDUSTRY. Sen. Proxmire inserted his statement supporting S. 3125, to provide for a self-help dairy stabilization plan, and comparing it with his bill S. 2952, to provide an all-commodity self-financing farm program. p. 1373
6. SMALL BUSINESS. Sen. Wiley spoke in favor of the proposed Small Business Tax Adjustment Act. pp. 1376-7.
7. WEATHER. Sen. Wiley urged weather control research, and inserted an article on Weather Bureau budget cuts and a speech on the use of earth satellites to control weather. pp. 1377-8
8. LUMBER. Sen. Neuberger inserted his communications with a newspaper on the economic situation and unemployment in Ore., particularly the lumber industry. pp. 1380-1
9. RESEARCH. Sen. Monroney inserted an article on the importance of basic research and the need for more funds to support it. p. 1382
Sen. Morse inserted two articles on the growing importance of social science research under the National Science Foundation. p. 1408-11
10. BILLBOARDS. Sen. Neuberger commended Sen. Kuchel's "reconsideration" of his opposition to billboard control bills. p. 1411
11. PENALTY MAIL. Both Houses received from the Postmaster General a report showing the types and number of penalty mail indicia accounted for during fiscal year 1957 by the various Government Departments. pp. 1366, 1467
12. WATER RESOURCES. Sen. Langer inserted a N. Dak. State Water Conservation Commission resolution on S. 863, to recognize the water laws of the states lying west of the 98th meridian. p. 1366
13. RECLAMATION; ELECTRIFICATION. Sen. Knowland inserted his statement supporting the Trinity Partnership proposal (Jan. 31). pp. 1223-4
14. MONOPOLY. S. Res. 231, to provide \$365,000 for the Judiciary Committee to study antitrust and monopoly, was made the Senate's pending business. Pending at adjournment was Sen. Knowland's motion to cut the appropriation to \$250,000. pp. 1425-6

House of Representatives

TUESDAY, FEBRUARY 4, 1958

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

Ephesians 3: 16: *That ye may be strengthened with might by His spirit in the inner man.*

Almighty God, Thou art always standing at the door of our hearts waiting to be welcomed and wanting to be known and trusted.

Make us sensitive and responsive to the promptings of Thy spirit, seeking to transform us from what we are to what we ought to be.

May we always be eager to yield ourselves to Thy goodness for our littleness needs Thy greatness and our weakness needs Thy strength.

Grant that nothing may eclipse our faith and obscure our hope as we continue to pray and labor for the peace of the world.

Hear us in Christ's name. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. McGown, one of its clerks, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 10146. An act making supplemental appropriations for the Department of Defense for the fiscal year ending June 30, 1958, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. HAYDEN, Mr. RUSSELL, Mr. CHAVEZ, Mr. ELLENDER, Mr. BYRD, Mr. BRIDGES, Mr. SALTONSTALL, and Mr. YOUNG to be the conferees on the part of the Senate.

REFUNDING GOVERNMENT DEBT AT HIGH INTEREST RATES

(Mr. VANIK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VANIK. Mr. Speaker, in yesterday's Washington newspapers an advertisement caught my attention advertising the refunding of \$16,785,000,000 in

United States Treasury issues. In accordance with this advertisement certain new issues were advertised in exchange for outstanding issues maturing within the next 75 days.

One of the extraordinary features about the new issue is that bonds can be acquired, paying a guaranteed 3½ percent interest rate until February 15, 1990, 32 years from now.

I am fully aware of two desperate problems faced by the Treasury Department: First, in securing the necessary funds for the operation of the Government, and second, the necessity for avoiding short-term refunding of national indebtedness. However, it is extremely difficult for me to comprehend the fiscal wisdom of our Government and its debt managers who persisted in short-term borrowing during the past several years when interest rates were steadily rising upward and now undertaking a long-term offering for a period of 32 years at a 3½ percent rate at the very time when every indication points to decreasing interest rates in the immediate future.

If this offering could be delayed for 90 or 180 days, it is extremely possible that one-half of 1 percent might be saved on the interest rate with a possible net savings to the American people of almost \$2½ billion. A policy of long-range high-interest offering at a time when lower interest rates are in clear prospect indicates a national fiscal policy designed for and perhaps by the banking and investment interests of America rather than the guardians of American tax dollars.

There seems every reason to believe that public policy would be better served if this tremendous long-range high-interest offering could be deferred for a more prudent period of lower and more attractive interest rates.

HARRY HEYDENBURG, REPORTER

(Mr. O'HARA of Illinois asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. O'HARA of Illinois. Mr. Speaker, in the district court of the United States in Chicago the distinguished jurists in their robes sat en banc, the United States marshal brought before them in handcuffs, the defendant, Harry E. Heydenburg, charged with the grievous crime of desertion from the Federal building pressroom, the evidence was heard and a verdict of guilty promptly rendered, whereupon District Judge Phillip Sullivan sentenced the defendant to accept the gifts that a host of Harry Heydenburg's friends had ready with which to shower a great newspaper re-

porter on his retirement. It was a ceremony in appreciation of and affection for one of the journalistic greats, a newsman who for more than 40 years had covered the beat of the Federal courts in Chicago. Harry Heydenburg got his first job as a reporter on a metropolitan daily in 1903. He was assigned to the Federal pressroom in 1916 and remained there until his retirement in January of 1958. From 1924 to 1958, over three-score years, he was on the staff of the Chicago American. He never made an enemy. He was respected and beloved by several generations of judges, court officials, and lawyers. He set the pace and the pattern for topnotch reporting.

My colleagues join me, I am sure, in noting the retirement of a great newsman and in wishing him rich contentment in the years ahead. It is to be hoped that in his retirement he will find the time to write the story of his 41 years covering the beat in the old Federal building in Chicago. Many things have happened in 4 decades in that building. There have been many famous trials, many picturesque personalities of which Judge Landis was but one, many dramatic and historic scenes. Harry Heydenburg covered them all. His story of it all would be a best seller.

(Mrs. ROGERS of Massachusetts asked and was given permission to extend her remarks at this point in the Record and to include extraneous matter.)

[Mrs. ROGERS of Massachusetts' remarks will appear hereafter in the Appendix.]

[Mr. KEATING's remarks will appear hereafter in the Appendix.]

SECOND ANNUAL REPORT OF THE SURGEON GENERAL OF THE PUBLIC HEALTH SERVICE—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 324)

The SPEAKER laid before the House the following message from the President of the United States, which was read and, together with the accompanying papers, referred to the Committee on Interstate and Foreign Commerce and ordered to be printed:

To the Congress of the United States:

Under the provisions of title VII of the Public Health Service Act, as amended by Public Law 835, 84th Congress, I transmit herewith for the information of the Congress the second annual report of the Surgeon General of the Public Health Service summarizing

the activities of the health research facilities program.

DWIGHT D. EISENHOWER.
THE WHITE HOUSE, February 4, 1958.

SEVENTH SEMI-ANNUAL REPORT ON
ACTIVITIES CARRIED ON UNDER
PUBLIC LAW 480, 83D CONGRESS—
MESSAGE FROM THE PRESIDENT
OF THE UNITED STATES (H. DOC.
NO. 323)

The SPEAKER laid before the House the following message from the President of the United States, which was read and, together with the accompanying papers, referred to the Committee on Agriculture and ordered to be printed:

To the Congress of the United States:

I am transmitting herewith the seventh semiannual report on activities carried on under Public Law 480, 83d Congress, as amended, outlining operations under the act during the period July 1 through December 31, 1957.

DWIGHT D. EISENHOWER.
THE WHITE HOUSE, February 4, 1958.

CALENDAR WEDNESDAY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the business in order on Calendar Wednesday of next week be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

HUMANE SLAUGHTER OF
LIVESTOCK

Mr. SMITH of Virginia. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 376 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 8308) to establish the use of humane methods of slaughter of livestock as a policy of the United States, and for other purposes. After general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SMITH of Virginia. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ALLEN] and to myself such time as I may require.

Mr. Speaker, I have had no requests for time for debate on the rule. I know of no opposition to the rule, but I would like to make a brief statement if the gentleman will consume such time as he may desire.

Mr. ALLEN of Illinois. Mr. Speaker, I have no objection to the rule.

(Mr. SMITH of Virginia asked and was given permission to revise and extend his remarks.)

Mr. SMITH of Virginia. Mr. Speaker, House Resolution 376 makes in order the consideration of H. R. 8308, the humane slaughter bill. The resolution provides for an open rule and 1 hour of general debate.

The bill establishes a national policy in connection with the slaughter and handling of livestock for slaughter. Certain methods which would comply with the public policy are listed in the bill, but it does provide that slaughtering in accordance with the practices and requirements of any established religious faith are to be considered in conformity with the public policy.

The Secretary of Agriculture is authorized to conduct research and investigation to determine the most humane, practicable methods of slaughter. He is also authorized to establish a 12-man advisory committee to make recommendations in connection with the study.

After December 31, 1959, the Federal Government will buy no livestock products which have not been slaughtered by the humane methods determined by the Secretary of Agriculture, and such products shall be labeled as having been slaughtered by these humane methods. There is no other penalty attached to the bill. The bill merely seeks to promote practical methods of humane slaughter of animals. It is a measure with large public support. It is a moderate bill and ought to be enacted. I hope that the rule may be adopted and the bill passed.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AMENDING TARIFF ACT OF 1930 RELATIVE TO IMPORT DUTIES ON CERTAIN COARSE WOOL

Mr. SMITH of Virginia. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 460 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 2151) to amend certain provisions of the Tariff Act of 1930 relative to import duties on certain coarse wool, and all points of order against said bill are hereby waived. That after general debate, which shall be confined to the bill, and shall continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the bill shall be considered as having been read for amendment. No amendment shall be in order to said bill except amendments offered by direction of the Committee on Ways and Means, and said amendments shall be in order, any rule of the House to the contrary notwithstanding. Amendments offered by direction of the Committee on Ways and

Means may be offered to any section of the bill at the conclusion of the general debate, but said amendments shall not be subject to amendment. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion, except one motion to recommit.

Mr. SMITH of Virginia. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ALLEN], and to myself such time as I may require.

Mr. Speaker, I have no requests for time on this side.

Mr. ALLEN of Illinois. Mr. Speaker, I reserve the balance of my time.

Mr. SMITH of Virginia. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

HUMANE SLAUGHTER OF LIVESTOCK

Mr. POAGE. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 8308) to establish the use of humane methods of slaughter of livestock as a policy of the United States, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 8308, with Mr. HERLONG in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. POAGE. Mr. Chairman, I yield myself 25 minutes.

Mr. Chairman, the need for humane slaughter legislation has been quite evident for many years. While the American meatpacking industry has long held a deserved reputation as one of the most efficient in the world—most of its members had, up until a few months ago, done practically nothing to meet the requirements of human kindness and even decency in the slaughtering of animals. While practically every other packing-house operation had been mechanized and modernized cattle and hogs were still killed exactly as they were when as a boy of 10 I first visited the plants at Fort Worth. Possibly the companies needed the spur of competition in this field.

True there have been a few outstanding examples of progress. George Hormel & Co., one of the great hog packers, had devised and installed a modern and humane hog slaughtering practice in their new plant at Norfolk, Nebr., as it was constructed. They found that it actually saved money through the elimination of losses of valuable meat from bruises and broken bones. They later installed similar facilities in all of their plants. Other hog packers have followed suit, but I believe I am correct

when I say—at least as far as I know—none of the so-called big four packers have as yet adopted similar methods for hogs.

They still kill hogs by bleeding them to death on the gruesome wheel—an instrument of torture to which live conscious hogs are shackled in an endless line with a dozen or more being lifted some 12 or 15 feet into the air to slowly and relentlessly move through possibly 50 feet of space where they come even with a sticker. A sticker, my colleagues, is a man who stands on a bloody pedestal with a knife—sharp at the beginning of the day but certainly on many occasions in need of grinding—with which he sticks the jugular vein of the hog. He does not kill the hog. He is not there to kill the animal. The hog—or lamb and in some packing houses the calf—dies from the loss of blood as it is carried ever onward by the inexorable movement of the endless chain to which it is attached by a steel chain around one hind leg. If the animal is a hog it is shortly dropped into a vat of boiling water. In most cases it has lost consciousness but numerous exceptions are reported.

Your committee believes that more humane methods should be employed.

At least two of the largest packers have, since this bill was favorably reported by the Agriculture Committee, made a very far-reaching change for the better in their methods of slaughtering cattle. First Swift & Co. and then Armour & Co. have turned from the age-old system of knocking cattle. In the past all cattle were pushed into chutes and knocked in the head by men armed with sledge hammers. These knockers became quite expert and in the great majority of cases they were able to kill an animal with one blow—but they missed now and then. In fact, sometimes they knocked off horns or knocked out eyes. Most—but not all—packing houses killed cattle, especially calves—if they were not killed on the wheel—8 or 10 deep. If the animals first knocked down were not killed, and sometimes they were not, they struggled to extract themselves from the mass of bodies on top of them.

The small Sitz Packing Plant at St. Joseph, Mo., was one of the early packers to abandon this practice. They used the captive bolt pistol. Members of our committee visited the plant and used the pistol. It is not perfect but used in connection with a series of electric lights which tend to quiet the cattle in a small pen there is very little margin for error.

Many other plants are now using the captive bolt pistol. It costs about \$200 and the shells cost about one-half a cent per animal. It can hardly be said to impose an unbearable economic burden on the packers.

The two largest packers have recently equipped themselves with an improvement of this weapon in the form of the Remington Stunner—produced by the Remington Arms Co. It is said to be even more efficient than the pistol. There are also pneumatic devices on the market. Any slaughter house can provide for the humane slaughtering of cat-

tle without any considerable capital investment.

As the American Meat Institute very recently stated in a joint statement with the American Humane Association:

The problem in connection with its use on hogs and sheep and lambs is primarily one of restraining the animals while applying the stunner.

They add:

We are convinced, however, that time, patience, and continuous investigations will lead eventually to the correct answers.

The majority of the Committee on Agriculture also believe that the problem but needs the same kind of consideration which has been given to all of the competitive technical problems of the packers.

Our committee has made an on the spot investigation of packing house killing practices. It was not a pleasing duty. We recognize that the slaughter of living animals is never a pleasant task. We found that the packers have great difficulty securing and retaining men to do the cruel and dirty work of knocking and sticking. Most workers take these jobs because of economic necessity and quit them as soon as they can. Unfortunately, the few who seem to want to stay with this work are generally either without any kindly feeling of compassion for the suffering of God's dumb creatures or are of such low intellect themselves that they are immune to any pain except their own. This situation is not the fault of the packers but it is most unfortunate—and it does exist.

Even before our committee conducted its investigations numerous Members of Congress recognized the situation and introduced bills intended to deal with the evil. I wish that I could name all those who introduced bills. Unfortunately, I have no accurate list. I would, however, call especial attention to the devoted efforts of our colleague, the gentle lady from Michigan, Mrs. MARTHA GRIFFITHS, who has pushed for a solution of this problem ever since she has been in Congress. Her work and her attitude have always been helpful and constructive.

Our colleague the gentleman from Utah [Mr. DAWSON] has been most interested, as have the gentlemen from California [Mr. MILLER and Mr. HESTAND], the gentleman from South Carolina [Mr. McMILLAN], the gentleman from Tennessee [Mr. LOSER], the gentleman from Maryland [Mr. HYDE], and the gentleman from Michigan [Mr. BROOMFIELD].

Almost a full year ago, our committee held hearings. A great number of witnesses were heard. Most of them in favor of legislation—but we also heard the representatives of the packers and others who raised questions.

The hearings resulted in a completely new approach to the problem. As chairman of the Subcommittee on Livestock and Feed Grains I introduced a bill, very similar to the perfected measure we have before us. The previous bills had all sought to make other than humane slaughtering methods punishable as criminal acts. The Committee bill con-

tains no criminal penalties. Its only sanction lies in the provision that the United States Government will not hereafter buy meat from any processor who uses other than humane methods in slaughtering.

The bill will not therefore apply to the local butcher who does not seek a government contract. We realize that the exception is large, but we felt that we should better err on the side of liability. We do not want to impose any kind of economic burden on either the small packer or on the producer of meat. Nor did we feel that the Federal Government should attempt to prescribe rules for purely local business activities. We did, however, feel that if the Government was going to spend tax money it should spend it with those packers who followed a reasonably enlightened code of slaughtering practices.

In the beginning opposition came from three sources. First the packers objected. They said it would add materially to their costs. We have, however, seen that one of the largest hog packers and the two largest cattle packers have voluntarily adopted humane practices; the first as to hogs—the other two as to cattle. In the face of this it seems clear that there is little real validity to their protests and just last week you doubtless received the publication of the American Meat Institute to which I referred. This seems to make it quite clear that there is in fact no real economic barrier. Surely there is none in the big plants and the small plants are for practical purposes all exempt—unless they are bidding on government contracts.

The second group of objections come from livestock producers who had been told that they would have to absorb some substantially increased costs. No farmer wants to absorb extra costs. Very few indeed could do so. I don't want to impose any burden on livestock producers. I am one myself. I have been in the cow business, in a very small way, all my life and my father before me and his father before him. No, I would not knowingly hurt the livestock producers but on the other hand I know that that livestock man, if he is the kind of man of whom we are so proud, is deeply interested in knowing that the cow he raised from a calf is not going to be needlessly and brutally subjected to any kind of mistreatment, and from the testimony of the packers themselves, it seems clear that there is not going to be any extra costs to pass back. Hormel's several years of experience has resulted in a saving—not a cost.

The third group of objections came from an unexpected source. We had recognized that some of our people hold religious convictions in regard to the method of slaughtering animals for food. The original committee bill had sought to deal with this by simply excepting the Jewish ritualistic method of slaughter. It was, however, pointed out, quite fairly, I thought, that any exception might be construed as a brand of evil on a practice which we condemned but were willing to tolerate.

The committee recognized and I recognize that ritualistic slaughtering is not simply something that we should condone in behalf of religious freedom—although I would always feel that we should be extremely careful not to interfere with any citizens' religious beliefs, but ritualistic slaughtering is as I see it, when actually carried out in compliance with the Mosaic law one of the most humane methods yet devised. The bill, therefore, was changed to recognize ritualistic slaughtering as of itself humane.

It will, however, be understood that on matters of this kind there are naturally going to be many varieties and degrees of feeling. There were those who felt that even as reported by the committee the bill did not give quite the degree of recognition or dignity which should be accorded the sincere belief of some citizens. The sponsors of the bill tried to work out the language last summer but found that it was going to take time to do this.

At that time and at all times since we have had the splendid cooperation of the distinguished majority leader, the gentleman from Massachusetts, and of the distinguished gentleman from New York [Mr. MULTER]. They and others have done everything possible to achieve unanimity. We have also had the cooperation of many outside agencies, groups, and individuals.

At last we are able to present language, which will be offered as an amendment with the approval of a majority of the Agriculture Committee which is acceptable to the great majority of those who have heretofore opposed this bill on religious grounds.

At this point, Mr. Chairman, I would like to read into the RECORD a letter dated January 29, 1958, from Hon. Leo Pfeffer, of New York City. The letter is as follows:

DEAR CONGRESSMAN POAGE: I am writing this letter on behalf of the Rabbinical Assembly of America and the United Synagogue of America (representing respectively the conservative rabbinate and conservative congregations), the Central Conference of American Rabbis and the Union of American Hebrew Congregations (representing the Reform rabbinate and Reform congregations), and the American Jewish Congress.

We understand that your bill H. R. 8308 regarding humane slaughtering of animals has been or will be amended as follows:

In the enactment section on page 2, line 3, the words "the most" and "practicable" will be eliminated.

For the present section 2 the following will be substituted:

"SEC. 2. No method of slaughtering or handling in connection with slaughtering shall be deemed to comply with the public policy of the United States unless it is humane. Either of the following two methods of slaughtering and handling is hereby found to be humane:

"(a) In the case of cattle, calves, horses, mules, sheep, swine, or other livestock, all animals are rendered insensible to pain by a single blow or gunshot or an electrical, chemical, or other means that is rapid and effective, before being shackled, hoisted, thrown, cast, or cut; or

"(b) By slaughtering in accordance with the ritual requirements of the Jewish faith or any other religious faith that prescribes a method of slaughter whereby the animal suffers loss of consciousness by anemia of

the brain caused by the simultaneous and instantaneous severance of the carotid arteries with a sharp instrument."

In addition, a new section 6 will be added to read as follows:

"Nothing in this act shall be construed to prohibit, abridge, or in any way hinder the religious freedom of any person or group to slaughter and prepare for the slaughter of livestock in conformity with the practices and requirements of his religion."

We understand that these amendments are based upon the convincing scientific testimony presented before the respective committees of both the House of Representatives and the Senate to the effect that the Jewish method of slaughter described in the proposed amendment is a humane method meeting the standards of your bill.

We understand further that while the bill as amended would empower the Department of Agriculture to restrict or prohibit shackling or hoisting of conscious animals in connection with slaughtering according to the ritual requirements of the Jewish faith, it does not restrict or prohibit, nor does it authorize the Department of Agriculture to restrict or prohibit the use of the Weinberg or revolving pen, as is used in Great Britain, and that such use of the Weinberg pen is a humane method of preparing the animal for slaughter.

With this understanding I am authorized by the organizations listed above to inform you that these organizations and their membership have no opposition to H. R. 8308, as so amended.

You are authorized to read this letter into the CONGRESSIONAL RECORD and make such further use of it as you deem appropriate. You are authorized further to inform all interested persons that the statement containing my signature now being circulated by the Union of Orthodox Rabbis in opposition to H. R. 8308 is based upon that bill before the amendments set forth in this letter, and that continued circulation of the statement by the Union of Orthodox Rabbis with my signature appended thereto is without my consent or approval.

Cordially,

LEO PFEFFER.

I now want, Mr. Chairman, to state for the RECORD that I agree with Mr. Pfeffer on his interpretation of the meaning of the proposed amendments and particularly to point out that the proposed amendments are not intended to deny the Department of Agriculture the right and power to prohibit any form of shackling and hoisting of conscious animals, it is not, however, intended to and does not give the Department of Agriculture any right or power to restrict or prevent the use of the Weinberg or revolving pen.

I want to also state that it is our purpose to offer the amendments to which Mr. Pfeffer referred in the language quoted. The amendments will actually be offered by our colleague the gentleman from New York [Mr. ANFUSO], a member of the Agriculture Committee.

In view of all of these facts, Mr. Chairman, I trust that this bill may have the overwhelming support of this House.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I now yield to the gentleman.

Mr. HOFFMAN. Do I understand that the objections of the Union of Orthodox Rabbis have been removed by what the gentleman has said?

Mr. POAGE. No; I do not understand that the Union of Orthodox Rabbis

agreed to it. I do understand that all of these other groups, the Rabbinical Assembly of America, the United Synagogue of America representing collectively the conservative rabbis and the conservative congregations, the American rabbis, and the Union of American Hebrew Congregations, and the American Jewish Congress—I understand that their objections have all been removed.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield.

Mr. HOFFMAN. Will the gentleman tell us how they were removed?

Mr. POAGE. By the amendments I have just mentioned.

Mr. HOFFMAN. What do they do?

Mr. POAGE. They restate the right of any group to practice any religious belief they want.

Mr. HOFFMAN. Wait a minute; how do the Jewish people kill a steer?

Mr. POAGE. By following—

Mr. HOFFMAN. I know, but how do they do it?

Mr. POAGE. I am trying to tell the gentleman, by following the ritualistic requirements of the Jewish faith which prescribes a method of slaughter whereby the animal suffers loss of consciousness by anemia of the brain caused by the simultaneous and instantaneous severance of the cardiac arteries.

Mr. HOFFMAN. That is simply cutting their throat, slitting their throat, is it not?

Mr. POAGE. No.

Mr. HOFFMAN. Cutting the throat. Do they suffer any less because a member of the Jewish faith does it?

Mr. POAGE. Yes, because the Jewish method results in immediate death.

Mr. HOFFMAN. Immediate death.

Mr. POAGE. Yes. It brings on immediate death.

The present method in most cases is to stick the jugular vein and let the animal bleed to death. The Jewish ritualistic method cuts the cardiac arteries, cuts the nerve and causes instant death.

Mr. HOFFMAN. Oh, you have brought the nerve in there now.

Mr. POAGE. You cannot do it any other way; there is no practical way to sever the cardiac arteries without severing the nerve. Of course, it could be done but as a practical matter when the throat is cut so are the nerves.

Mr. HOFFMAN. How is that any different than killing a chicken by pushing a knife blade up its mouth and into its brain?

Mr. POAGE. I do not know about that. This bill does not apply to chickens.

Mr. HOFFMAN. It applies to domestic animals, does it not?

Mr. POAGE. Yes; it applies to domestic animals but not to poultry. The bill carefully defines its applications, and it applies to cattle, hogs, sheep, mules, horses—

Mr. HOFFMAN. Livestock?

Mr. POAGE. But not to poultry.

Mr. HOFFMAN. Oh, yes; you will find that on page 4, line 6.

Mr. POAGE. Will the gentleman read the reference to chickens?

Mr. HOFFMAN. Each species of livestock.

Mr. POAGE. "Each species of livestock above referred to."

Mr. HOFFMAN. Are not chickens livestock?

Mr. POAGE. Chickens are not livestock under the terms of this bill.

Mr. HOFFMAN. The gentleman just does not know what he is talking about. The courts have held time and time again that chickens are livestock.

Mr. POAGE. I would like to read the section the gentleman has referred to. The gentleman read one part of it. I think it is only fair to read the whole thing:

No method of slaughter or handling in connection with slaughter shall be deemed to comply with such public policy unless in the case of cattle, calves, horses, mules, sheep, swine, and other livestock.

Mr. HOFFMAN. Yes.

Mr. POAGE. Other livestock.

Mr. HOFFMAN. Chickens come under "other livestock."

Mr. POAGE. I must insist the gentleman is mistaken.

Mr. HOFFMAN. As a matter of fact the bill itself refers to chickens and I refer the gentleman to line 13, page 5, where the poultry industry is specifically mentioned.

Mr. POAGE. Because we place one member representing the poultry industry on the advisory committee thinking that we should have a member representing the poultry industry.

Mr. HOFFMAN. Why did you not put fish on there too?

Mr. POAGE. Because we did not think there would ever be any thought of its applying to fish, but there had been consideration of poultry.

Mr. ROOSEVELT. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from California.

Mr. ROOSEVELT. Would the gentleman be able to tell us whether the Union of Orthodox Jewish Congregation has passed upon this new amendment which will be submitted to the House?

Mr. POAGE. The gentleman asks about a particular group. There are many of these groups. As far as I know, there is no group, except the Union of Orthodox Rabbis, that has not agreed to these amendments. I may be wrong, but I know of no other group that is not in favor of these amendments.

Mr. MULTER. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from New York.

Mr. MULTER. Let us make this crystal clear. While the Rabbinical Council of America, which is the national group of Orthodox Rabbis, has spoken out as an organization, that organization does not speak for all of its members. All the Orthodox Rabbis do not take the same position as the Rabbinical Council of America. The Rabbinical Assembly of America and the Hebrew Congregation, which is the reform group, are in favor of and support this measure, as is indicated by the letter the gentleman put in the RECORD. Those groups, including the American Jewish Committee and the American Jewish Congress, agree with the amendment as the gentleman has it and they say it makes this a good bill.

Mr. HOEVEN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, it has quite often been said that legislation is the result of public opinion. If there ever was a bill which is the result of public opinion, it is H. R. 8308, now being considered by the committee.

The Committee on Agriculture, particularly the subcommittee on livestock and feed grains, has received more mail in reference to this particular bill than on any subject which has ever been presented to the Committee on Agriculture. This sentiment, expressed mainly in favor of the pending legislation, has among others, come from humane societies, it has come from labor organizations, it has come from the rank and file of the American people.

When you sum it all up, it is just as simple as this: No one that I know of is in favor of cruelty to animals. So I can readily understand why this type of legislation should have so much popular appeal.

Many conflicting opinions were presented to the subcommittee. There were many different views. Many different methods of approach were presented. The committee worked out what it thought was a fair compromise.

This legislation has been kicked around for 2 years. The clamor for its enactment has increased as time has gone on. I dare say all of you have received a fair proportion of mail relating to this legislation.

The bill provides that the Secretary of Agriculture shall put on a research program to determine the most humane methods of slaughter. There is no rush about it. He is going to be given an opportunity to engage in proper research.

Furthermore, an advisory committee of 12 members is going to be set up to advise the Secretary in determining humane methods of slaughter. All segments of our economy are represented on that committee. The committee of 12 members shall be composed as follows:

One shall be an officer or employee of the Department of Agriculture designated by the Secretary who shall serve as chairman.

Two shall be representatives of national organizations of slaughterers.

One shall be a representative of the trade-union movement engaged in packinghouse work.

One shall be a representative of the general public.

Two shall be representatives of livestock growers.

One shall be a representative of the poultry industry.

Two shall be representatives of national organizations of the humane movement.

One shall be a representative of a national professional veterinary organization.

One shall be a person familiar with the requirements of religious faiths with respect to slaughter.

Certainly, this is an advisory committee which does represent every segment of our economy, and they are the ones that are going to advise the Secretary of Agriculture as to humane methods of

slaughter. I should also point out that this legislation does not take force and effect until the 31st day of December 1959. So we will have most of the year 1958 and all of 1959 to get the benefit of the research program that the Secretary of Agriculture is going to conduct. Furthermore, we will have the benefit of the advisory committee, so we should be rather well advised by the time this law becomes effective. And, I daresay if there are any bugs in the new legislation, ensuing sessions of Congress will take care of the situation.

Mr. MILLER of Nebraska. Mr. Chairman, will the gentleman yield?

Mr. HOEVEN. I yield to the gentleman from Nebraska.

Mr. MILLER of Nebraska. Does it apply to the small slaughter groups and the locker plants that are in existence now?

Mr. HOEVEN. As I understand, it only applies to those slaughtering plants that are engaged in interstate commerce and those plants that sell meat to the Federal Government.

Mr. MILLER of Nebraska. What will be the cost of the operation of the plan?

Mr. HOEVEN. The cost is problematical. There have been different methods of humane slaughter suggested. The research program on the part of the Secretary of Agriculture and the recommendations of the advisory committee will all enter into the cost picture.

Certainly it is not the intention of the Congress to penalize the small packers and small slaughterers and put them out of business; not at all. There has been a lot of misconception about what the bill will do in that respect. I would be the last one to recommend that anything like that be done. We are affording a long time for research and investigation to try to put into effect a law which the public is demanding.

Mr. AVERY. Mr. Chairman, will the gentleman yield?

Mr. HOEVEN. I yield to the gentleman from Kansas.

Mr. AVERY. I just want to make sure I understand the procedure anticipated here. I am not sure that I understood the gentleman from Texas, but if I did understand him correctly, there are to be some amendments offered later during the consideration of the bill, and that if these amendments are adopted, the language of this bill will be acceptable to certain religious groups in keeping with their methods of slaughter; is that correct?

Mr. POAGE. That is correct.

Mr. AVERY. I believe I also understood the gentleman from Texas to say that no packer would be eligible to sell meat to the United States Government unless he was in compliance with the provisions of the bill.

Mr. POAGE. That is right.

Mr. AVERY. Then, are we not doing this, just by making a statement of policy in the bill, not changing the requirements of the provisions, we are making it possible for the kosher slaughterers to sell meat to the United States Government? Is that not about the effect of it?

Mr. POAGE. Mr. Chairman, I do not think that would be the effect of it at all, because it would require the kosher killers to continue to slaughter in strict compliance with the Jewish ritualistic law. The packers say they do not want to carry out their operations that way on a large scale. This would require a humane method, whether kosher or non-kosher. It would require that kosher-killed animals be put in revolving pens or otherwise handled so they would not be subject to the wheel, which represents the present slaughtering methods.

Of course, it would be possible for kosher slaughterers to sell to the Government, but there would be no inducement on the part of the packers to engage in kosher slaughter except to the extent they do today. Every packer today sells some of the product of his cattle slaughtering to the gentile trade although it is killed kosher, because it is cheaper to do so. There would be no greater economic advantage under this bill to do it. So I can see no reason in the world why we should expect the kosher packing houses to pick up anything, nor would they be denied any market they now have.

Swift and Armour today are complying with the humane methods in killing cattle and obviously there is no reason for their changing to kosher methods as far as cattle is concerned; and hogs are never killed under kosher methods.

Mr. AVERY. Mr. Chairman, will the gentleman yield further?

Mr. HOEVEN. I yield to the gentleman from Kansas.

Mr. AVERY. As I understand the bill as it is now written, the kosher killers would not be considered as killing under humane methods, is that true?

Mr. POAGE. Mr. Chairman, if the gentleman will yield to me to answer; "No, that is not correct." The bill as written now strictly defines this method to be humane. In all frankness, the amendments are nothing but clarification, a little change in wording and, as far as I can see, there is no material change whatever in the meaning. There were those who felt that they would prefer this new language and in an effort to try to be fair to our fellow citizens who have a slightly different view of how we should handle this, the committee has tried its best to get language that would obtain the results and also give every citizen of America the opportunity to carry out his religious beliefs. I want that for myself, the gentleman I am sure wants it, and we want to extend that opportunity to every citizen of our country.

Mr. SCHERER. Mr. Chairman, will the gentleman yield?

Mr. HOEVEN. I yield to the gentleman.

Mr. SCHERER. The gentleman from Iowa has said that the bill provides for the setting up of a commission to determine the most humane way to kill pigs. Has the Congress of the United States ever set up a commission to determine whether the various States use the most humane methods for the killing of a human being as the result of a court order?

Mr. HOEVEN. Of course, that does not have anything to do with the proposed legislation.

Mr. SCHERER. I understand.

Mr. HOEVEN. But I will say to the gentleman that there are a number of States that already have legislation on this subject, laws, that prevent the inhumane treatment of animals, but which apparently do not apply to slaughterhouse operations.

Mr. SCHERER. We leave the killing of human being as the result of court orders to the States. Why should we not leave this matter to the States?

Mr. HOEVEN. Does the gentleman contend that these matters should be handled in the courts, that the courts should determine what are humane methods of slaughtering?

Mr. SCHERER. The courts merely determine whether a man should be killed as the result of judicial processes.

Mr. HOEVEN. Up to this time we have had no legislation determining what is a humane method of slaughter. That is the very thing we are trying to do for the guidance of the courts, I imagine.

Mr. SCHERER. And I am saying, that the matter of humane slaughter of animals should be left to the individual States rather than to the Federal Government.

Mr. HOEVEN. I would concur with that as a general proposition but apparently the respective States are not taking care of the matter.

Mr. KEATING. Mr. Chairman, will the gentleman yield?

Mr. HOEVEN. I yield to the gentleman.

Mr. KEATING. I wonder if the gentleman from Texas could tell us, if it would not unduly delay consideration of this bill, just how, by his amendment on page 2, he is taking care of the sensibilities of some of our fellow citizens?

Mr. POAGE. Mr. Chairman, will the gentleman yield for that purpose?

Mr. HOEVEN. Mr. Chairman, I wanted to say, in further reply to the gentleman from Ohio, that we are also dealing here with interstate commerce which puts a rather different slant on the legislation that we are considering today.

Mr. Chairman, I yield 3 minutes to the gentleman from New York [Mr. KEATING].

Mr. KEATING. I wonder if the gentleman from Texas will respond to my question.

Mr. POAGE. I would be glad to. The amendment proposed would apply to section 2. Where we say "slaughter" they would change the word to "slaughtering." That occurs two or three times. I frankly do not understand the import of it, but I see nothing wrong with using the word "slaughtering" instead of the word "slaughter."

Where we use the words "such public policy" in line 5, the amendment would insert "of the United States." I think the language was adequate to begin with, but if that clarifies it we are perfectly satisfied.

There is a statement that it is humane in the case of cattle, calves, horses, mules,

sheep, swine, and other livestock by either of two methods of slaughtering and handling which are hereby found to be humane. As to the two methods of slaughtering, the first, (a), is word for word as we have it, and the second, (b), would change the words "in conformity" to "in accordance with," and instead of saying "the practices" say "the ritual requirements." We do not see that that makes any great difference.

Then instead of saying "any established religious faith" they say "Jewish faith or any other religious faith."

Then instead of saying "which practices and requirements are hereby declared to be humane within the meaning of this act," they say "any other religious faith that" prescribes a method of slaughter whereby the animal suffers loss of consciousness by anemia of the brain caused by the simultaneous and instantaneous severance of the carotid arteries with a sharp instrument."

That simply defines the Jewish method of slaughtering. It is simply a case of finding that that method as described here, when carried out according to the Jewish ritualistic or any other ritualistic method of slaughtering is defined to be a humane practice.

Frankly, I cannot see that it achieves any material difference from the language we used, but as I said a while ago, it does satisfy the feelings of some people who had some reservations about this, and they unquestionably had them in good faith. They felt there was a danger, perhaps, in what we were doing. They say, "We want to prevent the same thing you want to prevent. We want to prevent any unnecessary cruelty. We believe if you will use this language it will be acceptable to practically all the groups involved." So we have simply made these minor changes in the language. That is all that is in the proposed amendment.

Mr. KEATING. I thank the gentleman. It seems to me this amendment which has been so carefully worked out should serve to remove the objections which have been raised by certain religious leaders.

The legislation itself is worthy and deserves support.

Clearly, we should do all we can to insure that livestock is slaughtered in the most humane manner possible. That, it seems to me, is our moral obligation both as human beings and as legislators. We owe much of prosperity, our health, and our happiness to those of the animal kingdom who today are often dying in unnecessarily inhumane treatment.

(Mr. KEATING asked and was given permission to revise and extend his remarks.)

Mr. HOEVEN. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. BENTLEY].

(Mr. BENTLEY asked and was given permission to revise and extend his remarks.)

Mr. BENTLEY. Mr. Chairman, like many, if not all, Members of the Congress, I have received both this year and last year a substantial volume of mail in support of H. R. 8308, a bill providing

for the humane slaughtering of animals. I have replied to the writers of these letters that if this legislation came to the floor of the House, I would support it. However, at this time I take the floor to present, in all fairness, another side of the story which is a very interesting letter I received last summer from a small packing company in my district. The letter is as follows:

PEET PACKING CO.,

Saginaw, Mich., July 17, 1957.

HON. ALVIN M. BENTLEY,
Member of Congress,
New House Office Building,
Washington, D. C.

DEAR AL: I have your letter of July 11, 1957, regarding the wire which I sent in opposition to H. R. 8308. It appears to me that possibly I should explain a little more in detail than I was able to do in the wire as to our feeling in connection with this bill.

We are wholeheartedly in accord with slaughtering by humane methods. As evidence of that, Al, I would like to state that as soon as they were available in the United States, we purchased a captive bolt pistol, and have used it to a greater or lesser extent ever since for the slaughter of cattle. This pistol was not satisfactory, from a service angle, and we finally purchased a second pistol, feeling we could have one in service while the other was being returned to the factory for repairs. However, even the two pistols were of so much trouble, servicerwise, that we were unable to keep them in use all the time.

A few months ago, a new instrument came onto the market, and we have purchased one of those stunning pistols. During the short period of time it has been in use, we have had very good results with this new instrument. If it continues to prove satisfactory, all of our cattle slaughtering will be done by the use of this captive-bolt pistol.

From the above, I believe you can see that we are attempting to find an answer to this problem, and we are not unique among packers in that respect. The slaughter of cattle does not seem to present too serious a problem in this respect. During recent months, the Remington Arms people have, likewise, brought out a new stunning pistol which seems to offer considerable promise.

However, the slaughter of hogs is an entirely different problem. This is the problem that seems more difficult for the packers to find a satisfactory answer.

I know there has been considerable publicity regarding the fact that slaughtering is done by electrolysis in Europe. This method, however, is not satisfactory in this country. We are advised by the Federal inspectors that it is impossible to distinguish between a diseased hog and one that has been killed by electrolysis, and they, therefore, are opposed to this system. While we have done no experimenting of this system, yet the information I have read on the subject convinces me that a much less desirable product would be the end result of killing by electrolysis because there is not complete bleeding of the animal after they are killed.

The only satisfactory method for killing hogs on a so-called humane basis, and in the quantities which hogs must be killed in this country, is the CO₂, developed by one of the major packers. This method seems to hold great promise for packers who kill a sufficient quantity of hogs that they can afford to make the investment. We have sent representatives of our company to inspect this new method, and the results are very encouraging, except for the fact that an installation costs approximately \$40,000. I am sure you will recognize that many small packers would find themselves unable to make such an investment in new equipment.

I hope from the above, Al, that you will realize the industry, has, during recent years, made considerable progress toward what is termed humane slaughtering. However, it is our feeling that until such time as practical methods of humane slaughtering are devised, we should not require packers throughout the country to completely discard their present slaughtering equipment. To the best of my knowledge, there is no satisfactory method that would be classed as humane slaughtering for the small hog slaughterer.

Possibly the first question that should be answered is, What constitutes humane slaughtering? What would appear to some of us to qualify under that classification would be entirely unsatisfactory to others. Therefore, it seems that until such time as a satisfactory method of killing that will qualify as humane slaughter, the Secretary of Agriculture should have the authority to state what constitutes humane slaughter. I am certain there are many well-meaning people who would object to seeing cattle slaughtered by a captive bolt pistol because they might feel it was inhumane. Nevertheless, this apparently qualifies for humane slaughter.

I give you the above information, Al, not because I think you can use it to change the action if this bill reaches the floor of the House, but rather to give you the thinking of one of the many small packers in the United States, and from the discussion with others. I know the above represents the thinking of most progressive packers. I am aware there has been considerable criticism of slaughtering methods, and frankly, I must admit that the packers have been very slow in attempting to change their methods to what is now being classed as humane. However, it is my feeling, with the progress that has been made during the last few years by the packing industry, it would be well to give them sufficient time to find an answer to this problem. I believe you will agree that no one else is quite as well qualified to find the solution as the packers themselves.

Thanking you for your letter, and with warm personal regards, I am,

Very truly yours,

R. D. STEARNS,
President.

In view of the progress that has apparently been made in slaughtering methods by the American meatpacking industry and in view of the joint statement issued by the American Humane Association and the American Meat Institute, of which I believe all members have received a copy, I am frankly curious as to why it is felt necessary to bring this legislation before the House for action at this time. No one would deny that there has in the past been barbarous methods of killing animals, particularly hogs, but also, no one could deny that the great majority of packers have made real and sincere progress in their endeavors to find more humane methods of slaughtering these animals. Since the American Humane Association has itself expressed gratification with this trend in the packing industry, since it has, as of last fall, given its stamp of approval to plants handling approximately 11 million animals and hopes to give similar awards to many more in the near future, I frankly cannot see the necessity for legislation at this time. As I stated above, I will vote for H. R. 8308, but I believe it would have been better if the meatpacking industry and the American Humane Association had been left to work this problem out on a cooperative and apparently satisfactory basis.

May I ask the gentleman from Texas if he is familiar with the slaughtering process known as electrolysis?

Mr. POAGE. Yes. It was discussed in the committee.

Mr. BENTLEY. I wonder if the gentleman then would care to comment on this particular statement from my constituent's letter:

We are advised by the Federal inspectors that it is impossible to distinguish between a diseased hog and one that has been killed by electrolysis, and they, therefore, are opposed to this system. While we have done no experimenting of this system, yet the information I have read on the subject convinces me that a much less desirable product would be the end result of killing by electrolysis because there is not complete bleeding of the animal after they are killed.

Is it not true that if a hog has been killed by electrolysis you cannot tell whether or not it was diseased?

Mr. POAGE. That was the testimony that was given before our committee, and I assume it is true, but there is nothing in this bill even suggesting that you must use electrolysis as a method. There is nothing in this bill suggesting it need ever be used.

Will the gentleman from Michigan give us the name of the packer whose letter he is reading?

Mr. BENTLEY. I will be very glad to. It is the Peet Packing Co., of Saginaw, Mich. The letter I am reading from is by Mr. R. D. Stearns, president.

Mr. POAGE. I thank the gentleman.

Mr. BENTLEY. I would like to read another paragraph from this letter and I invite the gentleman's comments, if he cares to comment on it. It says:

The only satisfactory method for killing hogs on a so-called humane basis and in the quantities in which hogs must be killed in this country is the CO₂ developed by one of the major packers of which an installation costs about \$40,000.

Can the gentleman tell us what CO₂ is? Frankly, I do not know.

Mr. POAGE. That is carbon dioxide gas. It is a method that Hormel and other packers are using. The hogs are driven through the gas to cause insensibility before they are stuck for bleeding, but it is not the only method and it is not required under this bill at all. On the contrary, under the terms of this bill you can use the captive bolt pistol or the Remington stunner. If you have the statement that was put out last week by the American Meat Institute and the American Humane Society, you know that they pointed out in their statement that the only objection they have found so far to that change is simply the difficulty of applying the stunner, the instrument, to the hog's head. So that there is not any serious problem that we can see that prevents the use of humane methods. I would like to call the gentleman's attention further to the fact that there are only four packing houses in the State of Michigan that could possibly be affected by this law. There are only 4 in the State of Michigan who come within the Federal inspection, and they are the only ones who can bid on Government contracts so there cannot be more than 4 packers in

the State of Michigan that can possibly be affected.

Mr. BENTLEY. May I ask the gentleman another question? The gentleman referred to this joint statement from the American Humane Association and from the American Meat Institute. This statement was made sometime ago; was it not?

Mr. POAGE. No; it was mailed to every Member last week—on Friday, I believe.

Mr. BENTLEY. I know when it was mailed, but when was the statement originally put out?

Mr. POAGE. It was made sometime this month. I do not have the exact date before me. But it was put out since the first of the year. What it did was to take great credit, and I think properly, because of the fact that Swift and Armour adopted the Remington stunner for all of their cattle. And I would say today more than 50 percent of the cattle slaughtered in the United States are slaughtered under humane methods, but I would point out that that did not take place but a few months ago.

Mr. FLOOD. Mr. Chairman, will the gentleman yield?

Mr. BENTLEY. I yield.

Mr. FLOOD. In the course of the gentleman's inquiry, I wonder if he would find out if we could deal with slaughter on the highways under the terms of this bill in some way.

Mr. BENTLEY. Well, I am not sure that that is appropriate at the moment. I would like to ask my friend, the gentleman from Texas, another question. Is it not true that in the meatpacking industry, substantial progress has been made with respect to the adoption of methods of humane slaughter?

Mr. POAGE. I think tremendous progress has been made and more since this bill was reported out of the Committee on Agriculture than for the past 100 years.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. HOEVEN. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. HOFFMAN].

(Mr. HOFFMAN asked and was given permission to revise and extend his remarks.)

Mr. HOFFMAN. Mr. Chairman, as happens sometimes, I assumed that the sole purpose of the bill was to prevent cruelty to animals about to be made into food and those who sponsored the bill knew what they were doing. As the gentleman from Iowa [Mr. HOEVEN] said, no one wants to torture animals any more than they do human beings. But, I wonder if this is just to protect animals. If that is the only purpose why do they stick in this bill on page 1, line 5, "better working conditions"? Why did the committee wiggle that in there? Its sponsors must have something else in mind. Then when they get to page 2 where it says "before being shackled, hoisted, thrown, cast, or cut" the animals are to be rendered insensible. I cannot, for the life of me, in spite of the discussion here earlier, see why our Jewish friends are exempt from this bill. One's religious practices when the method and procedure are just as pain-

ful as the religion had no part in the killing are the same. Because the only way I ever knew of killing a chicken, and you say here in the bill "livestock," which includes chickens and turkeys, though the gentleman from Texas insists that chickens are not livestock—he is mistaken—that is all nonsense. Webster's says, and one of my colleagues, the gentleman from Illinois [Mr. MICHEL] just gave me this when the gentleman was talking. I quote Webster's definition of livestock: "domestic animals used or raised on a farm—especially those kept for profit." Now, chickens and turkeys are livestock. Do not forget that definition hereafter when you go fussing around about some legislation. Now, talking about the killing of chickens or some other animal. Whoever knows, please tell me. I do not know how animals are slaughtered under the Jewish custom or practice.

Mr. MULTER. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield. Gladly.

Mr. MULTER. The so-called Jewish method of slaughter is not accomplished by sticking the animal. It is accomplished by the use of a very sharp knife, and with one stroke, and the animal must then be killed. With the one stroke the jugular vein is severed and instantly from the loss of blood from the brain the animal is made insensitive.

Mr. HOFFMAN. Of course everyone knows that is all nonsense, because if you cut an artery the animal does not die instantly. If you said "a nerve" I could figure it out. But you claim that if you cut an artery of a chicken it does not suffer any pain, but when you stick a sharp instrument—not ease it in—up into its brain, of a chicken as is the method of some, one would think that would kill it quicker than cutting an artery and letting it bleed to death.

Mr. MULTER. Will the gentleman yield further?

Mr. HOFFMAN. I yield.

Mr. MULTER. What is your method of killing a chicken?

Mr. HOFFMAN. It has been a long time since I was a boy killing a chicken for our Sunday dinner but my way was to put it on a chunk of wood, take the broad ax or a hatchet and cut its head off. I am not sure it died at once, because that hen after the head was off would flop around for some time scattering blood all over. Then there was another way. Pick it up by the head and swing it around until the head came off—the neck seemed to break and the chicken did not flop. I do not know of any painless method of killing anything, and I do not believe anyone else does unless he is an expert.

Mr. FARBSTAIN. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield.

Mr. FARBSTAIN. Do you know that this bill calls for a penalty? That there is a crime under this bill?

Mr. HOFFMAN. No, I do not know that. Nor do I know how much it will cost and I do not know how many more inspectors or employees we will get. I know I promised to vote against cruelty to animals. I will have to vote against

this bill or write back to about 75 women explaining the bill is very limited in scope and tell them it will not accomplish their objective.

Mr. FARBSTAIN. Will you show me where this bill makes a crime or misstatement, where such a misstatement honestly is made?

Mr. HOFFMAN. I know the members of the Committee on Agriculture. They are honest.

Mr. FARBSTAIN. I appreciate that, but I think there is a misapprehension in this bill, because not always can an animal be stunned by one blow.

Mr. HOFFMAN. I have been stunned by statements made on this floor many times. I know on the farm when we killed a steer we shot him with a .22 rifle or hit him on the head with a maul, or rather a sledge. That method is recognized in the bill.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. HOEVEN. Mr. Chairman, I yield 5 minutes to the gentleman from Utah [Mr. DAWSON].

Mr. DAWSON of Utah. Mr. Chairman, I realize that on a subject of this kind we can get rather emotional, and also that there may be injected into a debate of this kind many humorous statements, and amendments may be offered to deter us from what we have in mind.

I am one of the original sponsors of this legislation. May I confess that I started out as a reluctant sponsor. It is against my political philosophy generally to favor legislation which compels any individual or business or industry to do something which should be done voluntarily. It was only after I had determined through my own independent investigation that—with the exception of all too few progressive companies—the meatpacking industry was making little or no progress in this field, only then did I decide humane slaughter legislation was necessary.

I am happy to report that under the goad of this bill and similar bills, some progress is now being made.

When this measure was first introduced in January of 1957, the Department of Agriculture could not furnish me with any estimate of what percentage of our livestock were rendered insensible to pain by humane methods before being slaughtered. Now, I am informed by the Department, more than half of all beef slaughtered under Federal meat inspection is stunned by approved mechanical methods.

This legislation will have no effect upon the scores of packers who already have adapted their operations to conform with the minimum requirements of humane decency called for in this bill. This bill is directed toward that segment of the industry which has done too little; which will continue to do too little and will do it too late—or never. Without legislation, I am convinced, cruel, wantonly cruel practices against millions of animals will continue to be standard procedure.

I do not intend to go into lengthy descriptions of present methods of slaughter now followed by most of our packing

plants. I do think it is safe to say that there is not a Member of Congress who would condone these methods if he witnessed them being practiced on one dumb animal and knew that such practices were unnecessary. I submit that corporate cruelty—if a ready alternative is available—is a fit subject for legislative action.

The enactment of this humane slaughter bill will not force an industry into unexplored territory. Humane slaughter has been compulsory in Switzerland since 1874. England adopted a similar law in 1933. Other nations requiring humane slaughter are Norway, the Netherlands, Scotland, Ireland, Finland, Sweden, New Zealand, and Denmark. Years of experience in each of these countries has proved that humane slaughter practices are economically beneficial to the industry.

We need not go to Europe to verify the feasibility of humane slaughter practices. Companies in the United States have found that the immobilization of hogs by carbon dioxide has saved more money in the reduction of damaged meat than was spent for the installation of the new equipment. Captive bolt pistol stunning devices to replace the uncertain poleax are available at \$120—an investment even the most modest of plants can afford.

I may add at this point in reply to the gentleman from Michigan that the cost according to a manufacturer of Denmark of the carbon dioxide equipment is about \$4,500. Hormels use a more expensive installation.

Why, then, one may ask is this legislation necessary? Why is it being opposed by the packing industry generally? I can only conclude that the industry is caught in the inertia of tradition. In this regard, I can only say to the members of the industry, "Recall your fight against the Federal Meat Inspection Act in the early part of this century." Let the packers reread the arguments they made to Congress against that law which grew out of public revulsion against the shoddy, unsanitary conditions that prevailed in a portion of their industry. We can only hope that by reviewing their attitude then against minimum sanitary laws—and comparing it with their attitude now against minimum humane laws—they will profit by experience.

Certainly this industry which contributes so much to our fine standard of living should be in the vanguard of this fight to end needless cruelty. To that portion of the industry that has undertaken that leadership we owe our respect. For that portion that will resist to the end, we have this bill.

Before concluding, Mr. Speaker, I would like to make a few personal observations. Many people, including some Members of Congress, seem to think that there is something humorous about this legislation. It has been suggested that this legislation be amended to include lobsters, fish, and other lower animal life. Their reasoning seems to be that unless we can abolish all needless pain and cruelty in one legislative swoop, we should take no action at all.

To them, I can only say, man's struggle toward decency, kindness, and compassion has been made in many little steps but we have come a long way since the days of Tamerlane the tyrant. This bill is another step along that path.

In closing, Mr. Speaker, I would like once again to pay tribute to the many individual citizens with whom I have had the pleasure of working on this legislation. Opponents of this bill have come to me and characterized these fine people as sentimentalists and dreamers. To my mind, however, these people belong with the other so-called sentimentalists and dreamers—the ones in the past who were so misguided to believe that child labor could be abolished, or who argued that madness was a subject for medicine, not mockery. It has been a distinct pleasure to work with them for this bill to outlaw mass cruelty to dumb animals—a cruelty that is indefensible because it need not continue.

I can only agree with them wholeheartedly that the needless suffering of some 100 million animals per year is a matter of concern for us all.

Mr. POAGE. Mr. Chairman, I yield 6 minutes to the gentleman from New York [Mr. MULTER].

(Mr. MULTER asked and was given permission to revise and extend his remarks.)

Mr. MULTER. Mr. Chairman, my remarks today arise from a careful consideration of H. R. 8308, which concerns the humane slaughter of animals for food, authored by the distinguished gentleman from Texas [Mr. POAGE]. In weighing the merits of this new legislation, I think it important to look back and examine the long history behind civilized mankind's tradition of humane-ness and compassion toward animals.

The humane societies vigorously advocating the Poage bill are a modern expression of a tradition as venerable as recorded history. These societies have been active in the Western World for but a century or so of time. The tradition of which I wish to speak today traces back 3,500 years.

Those who know the Bible are certain to remember the many admonitions addressed to the Israelites in behalf of the animals entrusted to their care. These early Biblical injunctions laid the foundation for man's consideration for his beasts of labor.

Six days shalt thou do thy work, but on the seventh day thou shalt rest; that thine ox and thine ass may have rest—

The Bible commanded.

Thou shalt not muzzle the ox when he treadeth out the corn—

The Holy Book specified to the ancient farmer.

Thou shalt not yoke an ox and an ass together—

The Bible ordered, lest a weaker animal be subjected to inequitable strain.

This Biblical tradition of concern for the welfare of animals was continued and expanded in the Talmudic law, which dates back about 2,000 years. The rules of the Talmud, binding upon observant Jews, forbade a man to purchase

animals unless he had the means to feed them. The farmer was always required to feed and water his livestock before himself. The compassionate viewpoint of the Talmud has been summed up by one authority as:

Kindness to animals is a purer act of goodness than helping one's neighbors. For it is done without any hope of receiving a return.

It is in this context—the ancient Jewish teachings governing kindness to live animals—that I would like to address myself to some other laws—the rules governing the Jewish method of slaughtering animals for food. These, as I shall demonstrate, are all designed to secure the utmost humanity and maximum freedom from avoidable pain.

The regulations on slaughtering animals for food—known in Hebrew as Shechita—are derived from Holy Writ. As interpreted and supervised by the rabbis, Shechita insures a swift and painless death to the animal. Religious Jews, who observe the dietary laws, may not eat meat slaughtered by any other method. Any legislation interfering with this hallowed practice would, therefore, inflict severe hardship upon law-abiding citizens.

Extensive care and anatomical knowledge lie behind these detailed regulations for animal slaughter according to Jewish law. Special qualifications are set for those who slaughter, coupled with specific requirements for the knife to be used and the cutting technique. In fact, a codification of Jewish religious law devotes no fewer than 27 chapters to the rules concerning the humane Jewish method of slaughter. I would like to read to you some pertinent references in Talmudic law as defined by Chief Rabbi Isaac Halevi Herzog of Israel. I quote:

The Jewish method consists of cutting the throat of the animal with a single swift and uninterrupted sweep of the knife, which is of more than surgical sharpness and smoothness, horizontally, across the throat in such a manner that it severs the trachea, esophagus, carotid arteries and jugular veins. The knife edge must be perfect * * * minutely examined by a specific method before killing to test its sharpness and smoothness. It must also be examined after killing, and if any indentation is found, the beast is regarded as having been improperly slaughtered and its flesh * * * may not be consumed by Jews. * * *

The slaughtering of animals for Jewish consumption must be carried out by an educated, refined and cultured man, known to be God-fearing * * * properly trained, duly licensed, authorized and supervised.

The purpose of this method is to eliminate, as far as possible, pain to the animal at the time of slaughter. Some 800 noted authorities—most of them non-Jewish—in the fields of physiology, pathology, anatomy, and veterinary medicine have attested that this ancient method meets the most modern scientific tests of humaneness.

Prof. August Korph, a Nobel prize-winning scientist of the Physiological Institute of Copenhagen, was asked to judge the Jewish method of slaughter from the physiological point of view. He reported:

The sudden severance of the carotid arteries, the main point of Shechita, causes such immediate and complete drainage of arterial blood that the brain centers are paralyzed very quickly, at longest in a few seconds.

This outstanding physiologist concludes:

Having been personally at Jewish slaughtering and having had occasion to observe the animals. I do not hesitate to declare that the Jewish method of slaughtering is a proceeding fulfilling every requirement demanded by the dictates of mercy.

A special study was made of Shechita in England, and the director of the Department of Applied Physiology of the National Institute for Medical Research came to this conclusion:

No death could be more merciful.

And here in the United States, Prof. H. H. Dukes, head of the department of veterinary physiology at New York State Veterinary College, Cornell University, made repeated and detailed observations. Dr. Dukes reported:

Many physiologists and veterinarians in past years have declared that in their opinion, Shechita slaughter is humane. I join in this assertion.

I have carefully studied H. R. 8308 and the proposed amendment which I understand will be offered with the approval of the distinguished Committee on Agriculture.

The bill in its amended form, in my opinion, should overcome all objections from whatever source. Based on the expert lay and religious testimony before the committee, and which is now before this House, the bill will declare as a matter of fact and as a matter of law that Shechita, the method of slaughter of animals in accordance with the religious requirements and practices of the Jews, is humane. Unlike some versions of the bill as originally introduced, the bill no longer declares certain methods inhumane and excepts or exempts from the operation of the statute, religious methods. By the passage of this bill as amended the Congress will find and declare that this method, followed by the Jews for more than 3,000 years, is humane.

In addition, the new section 6 as added by the amendment, will indicate our adherence to the constitutional requirement that freedom of worship also prohibits interference with religious practices.

In the light of such explicit recognition of the humaneness of the Jewish method, our colleagues may reasonably wonder why some of my coreligionists are opposed to any legislation dealing with the slaughter of animals for food. First, let me emphasize that they have been opposed to all proposed legislation that they deemed a threat to Shechita, and not specifically to the Poage bill. Secondly, I would like to take just a moment to explain why many Jews tend to view all legislation on this subject with a wariness born of long and bitter experience.

Let us look back to the 1890's, to Switzerland. The pattern of events there was often to be repeated in other European lands. First, there were grum-

blings and stirrings against the practice of shechita, and then attempts to have legislation enacted against the Jewish method of slaughter. The Swiss Government undertook an investigation, and its official study concluded: "Shechita cannot be considered cruelty to animals." Despite this clean bill of health, agitation continued to increase. When the controversy came to a head—the issue even reached a public referendum—Professor Hilty of the faculty of law of Berne University summed it up as follows:

Unfortunately, it is impossible not to see that the campaign against Shechita is an attempt to stir up anti-Semitism in general.

A non-Swiss Protestant observer backed up this opinion, writing:

What we witnessed in Switzerland is anti-Semitism using the guise of humanitarianism.

In Europe—fortunately, not here—the Jews soon came to learn that even humane slaughter legislation that recognized the humaneness of the Jewish method could be twisted later into a slur on their tradition of humaneness, and a thinly veiled device for stirring up anti-Semitism. This lesson was learned in Poland, where legislation with such an exemption was passed in 1936. By 1939, antishechita sentiment had been so aroused that the method was outlawed entirely.

As might be expected, the most extreme abuses of the humane cause took place in Nazi Germany. Antishechita feelings in Germany traced back to 1892, when a prohibition had been enacted in Saxony. By 1910, this edict was repealed after the medical faculty of the University of Dresden had declared that shechita was humane. Elsewhere in Germany, various attempts to outlaw the Jewish method of slaughter were repeatedly defeated. In fact, it is interesting to note, a similar method of slaughter without preliminary stunning was made obligatory for plants producing preserved meats for the Prussian Army. As late as 1930, the official view of the health council of the Reich was that shechita "cannot be described as cruelty to animals." But scientific evidence and solid authority were easily swept aside by the inhuman wave of anti-Semitism that engulfed the German scene.

In Hitler's Germany, shechita was immediately seized upon as an object for special attack. This was to be expected since it could be manipulated so readily to serve Hitler's propaganda purposes. Nazi Germany adopted an outright antishechita law in 1933 for the entire Reich. And as other nations fell under Hitler's oppression, the proscription of shechita was among the first decrees enacted.

The experience in Austria was particularly bitter. There, the welfare of animal pets belonging to Jews was of great concern to the Austrian humane societies—of greater concern than the Jewish men, women, and children who were being hauled away in cattle cars to be scientifically murdered in Nazi camps.

Is it any wonder that Jews have long been suspicious of a type of legislation

which, time and again, was an instrumentality of most anti-Semitic drives?

It may strike many people as most strange that in one of the European countries where the Jews suffered the worst massacres and pogroms known in pre-Hitler days, to wit, czarist Russia, the problem was approached by the appointment of a commission to inquire into the matter. The commission was composed of outstanding scientists, pathologists, physiologists, physicians, and veterinarians. After a thorough and complete study of the matter, they reported that the Jewish method of slaughter of animals was the most humane known, and no antishechita law was enacted in Russia. Today, every country except one has repealed anti-shechita laws.

Fortunately, Americans of the Jewish faith can approach humane animal slaughter legislation with greater security and less fear than their European forefathers and coreligionists. Nevertheless, I think the sponsors of this legislation should put themselves on record unequivocally so that nothing in their proposals may ever be construed as delimiting the right of Jews to practice Shechita—an essential element of the Hebraic tradition of kindness to animals, and—to the observant Jew—a holy rite commanded by God Himself.

Mr. Chairman, I would indeed be remiss if I did not take a moment to pay a sincere tribute to the gentleman from Texas [Mr. POAGE], chairman of the subcommittee which had this delicate situation in charge, and all of his colleagues on that committee, as well as to our distinguished majority leader from Massachusetts [Mr. McCORMACK] who made certain that there was ample time to offer the amendatory language. They approached the problem with a sincere desire, born out of their own religious faiths, that no matter how different the practice of another faith may be from their own, they would respect it and would protect it. They leaned over backward so as to be sure to give no offense. Theirs was the approach of the true American patriot, breathing spirit and life into the Declaration of Independence and to the guaranties of freedom of religion written into our Constitution. We are most appreciative of their good will, which has produced a good bill.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield.

Mr. HOFFMAN. If the committee wanted to prevent cruelty to animals why did they not include the branding of Texas cattle?

Mr. MULTER. Probably they should have done that and also included trapping and hunting and other things, but we have to take these things one step at a time.

Mr. KEARNEY. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from New York.

Mr. KEARNEY. If this bill passes and is enacted into law, has the gentleman any idea how many more Federal employees it will put on the payroll?

Mr. MULTER. No, I do not know. I have not inquired into that phase of the subject at all. I have left that to the Committee on Agriculture and to the Department of Agriculture. I have concerned myself with the phase of the bill which some people thought might give offense to some of our citizens of the Jewish faith. I am convinced that with this amendment no one can take offense at this bill. There should be no doubt in anyone's mind that any member of the committee or in the House ever intended any offense to them, the bill as proposed and as amended does not grant an exemption or an exception for religious practices. On the contrary, it affirmatively finds and declares the fact that such method is also a humane method.

Mr. BASS of Tennessee. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from Tennessee.

Mr. BASS of Tennessee. This position that the gentleman has just stated as being the position of the leaders and organizations of the Jewish faith has changed somewhat since the original bill was introduced, has it not?

Mr. MULTER. Yes. Before the committee their representative was asked to submit language which would meet with their approval. Such language I understand now has not only met with their approval but with that of the humane societies. The gentleman from Texas [Mr. POAGE], has placed in the RECORD a letter sent to him showing the approval by six of these organizations.

Mr. BASS of Tennessee. I would like to say to the gentleman that I opposed in the committee the original inclusion of language which he is saying now has been approved by the Jewish faith, but am now ready to accept the version of the distinguished gentleman from New York [Mr. MULTER].

Mr. MULTER. May I take this last moment at my disposal to say that we are most appreciative to every member of the committee, particularly to the gentleman from Texas [Mr. POAGE], and the staff who have worked with him, and to the majority leader, the gentleman from Massachusetts [Mr. MCCORMACK], for their very fine approach to this matter. Their cooperation has been in the true American spirit dictated by our Constitution and our Declaration of Independence, making certain that we would not interfere with religious worship or religious practice in any manner whatsoever. The entire debate indicates that no such effort was intended and the bill as amended will prevent any such interpretation.

(Mr. ROOSEVELT asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. ROOSEVELT. Mr. Chairman, I am sure that my colleagues are aware of the considerable attention and concern which has been directed to H. R. 8308 because of the possibility that its passage will represent a threat to the continuance of the practice of religious ritual slaughter.

I assure you that if I believe that this measure constituted such a threat, I would oppose it with all the vigor that defense of religious freedom demands. I do not oppose it, however, because I firmly believe that, far from presenting a threat, H. R. 8308 as amended by the proposal of the gentlemen from New York [Mr. MULTER and Mr. ANFUSO] will protect religious slaughter.

As the bill reads, and as the intent of Congress clearly indicates, religious slaughter is not inhumane, and no such implication was ever intended. H. R. 8308 does not exempt religious slaughter, which would imply that the ritual is actually inhumane but that Congress will allow it to continue nonetheless. Instead, the bill specifically defines compliance with the policy of the act in two instances—one being practices performed in conformity with an established religious faith. Because there are two declarations of what is humane, it does not follow that one of them is an exception. The section merely makes doubly sure that ritual slaughter can never be construed as anything but that which the bill declares it to be, a humane practice.

We know that it was the Jewish religion which gave the western civilization its first understanding of humane treatment of animals, and it was the Mosaic code which established the first humane slaughter law.

I sincerely hope that these amendments which have been adopted, will calm all fears about danger to religious slaughter.

Having removed the basic objections previously raised, I believe the great advantages and humane aspects of the bill make it sound prospective law.

The CHAIRMAN. The time of the gentleman from New York has expired. All time has expired. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc., That the Congress finds the use of humane methods in the slaughter of livestock prevents needless suffering; results in safer and better working conditions for persons engaged in the slaughtering industry; brings about improvement of products and economies in slaughtering operations; and produces other benefits for producers, processors, and consumers which tend to expedite an orderly flow of livestock and livestock products in interstate and foreign commerce. It is therefore declared to be the policy of the United States that the slaughtering of livestock and the handling of livestock in connection with slaughter shall be carried out only by the most humane practicable methods.

SEC. 2. No method of slaughter or handling in connection with slaughter shall be deemed to comply with such public policy unless, (a) in the case of cattle, calves, horses, mules, sheep, swine, and other livestock, all animals are rendered insensible to pain, by a single blow or gunshot or an electrical, chemical, or other means that is rapid and effective before being shackled, hoisted, thrown, cast, or cut; or (b) by slaughtering in conformity with the practices and requirements of any established religious faith which practices and requirements are hereby declared to be humane within the meaning of this act.

Mr. ANFUSO. Mr. Chairman, I offer two amendments and I ask unanimous consent that they be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

Mr. GROSS. Mr. Chairman, reserving the right to object, I would like to hear the amendment read. May we have the amendment read before the request is made?

The CHAIRMAN. The amendment will be read for information.

The Clerk read as follows:

Page 2, line 3, strike out the words "most" and "practicable."

And on page 2, line 4, strike out all of section 2 and insert the following:

"SEC. 2. No method of slaughtering or handling in connection with slaughtering shall be deemed to comply with the public policy of the United States unless it is humane. Either of the following two methods of slaughtering and handling are hereby found to be humane:

"(a) in the case of cattle, calves, horses, mules, sheep, swine, and other livestock, all animals are rendered insensible to pain by a single blow or gunshot or an electrical, chemical or other means that is rapid and effective, before being shackled, hoisted, thrown, cast, or cut; or

"(b) by slaughtering in accordance with the ritual requirements of the Jewish faith or any other religious faith that prescribes a method of slaughter whereby the animal suffers loss of consciousness by anemia of the brain caused by the simultaneous and instantaneous severance of the carotid arteries with a sharp instrument."

And insert the following new section at end of bill:

"SEC. 6. Nothing in this act shall be construed to prohibit, abridge, or in any way hinder the religious freedom of any person or group to slaughter and prepare for the slaughter of livestock in conformity with the practices and requirements of his religion."

The CHAIRMAN. Is there objection to the request of the gentleman from New York [Mr. ANFUSO] that these amendments be considered en bloc?

There was no objection.

HUMAN SLAUGHTER

Mr. ANFUSO. Mr. Chairman, first of all, I wish to congratulate my esteemed colleague, the gentleman from Texas [Mr. POAGE], for bringing out this bill, which is long overdue. Also I wish to congratulate him and the entire committee for their understanding and the patience which they have displayed throughout the hearings. The amendment which I am offering is acceptable to the gentleman from Texas, I understand, and also to a great majority of the committee. Let me explain the amendments.

Section 2 of the bill under consideration, as presently worded, has aroused a good deal of concern among our citizens of the Jewish faith, particularly among Jewish religious leaders. They feel that it would constitute a certain degree of danger to the religious life and practices of the Jewish community in this country because it would render virtually impossible the Jewish religious method of slaughtering animals.

In April 1957 a delegation of Jewish leaders representing 22 major Jewish national organizations and speaking for almost the entire Jewish community of the United States submitted a statement to the Subcommittee on Livestock of the House Committee on Agriculture, in which were outlined the views of American Jewry on humane slaughtering. It was pointed out by them that not only do the bills then being considered by the subcommittee not meet the objections of the Jewish community, but that they also constitute an infringement on the exercise of religious freedom in this country. Even after the present bill, H. R. 8308, was revised and introduced in June by the gentleman from Texas [Mr. POAGE], it was felt by the Jewish community that it did not meet the objections raised by its spokesmen in April.

The Jewish community is specifically alarmed that the adoption of this bill, as presently worded, would have the following consequences:

First. It will undermine Jewish dietary practices of Kashruth, namely, kosher meat will either no longer be obtainable or, if obtainable, will be so expensive that many families will not be able to afford it.

Second. It may cause resentment and perhaps some dissension between Jews and non-Jews because Jewish religious practices will require more slaughtering of animals.

Third. It may encourage other countries as well as some of our States, to adopt similar laws which would be harmful to Jewish slaughtering methods and other religious practices.

To these objections, I should like to add the observation that to my knowledge this would be the first time in American history that the Federal Government will be taking steps to interfere in religious ritual matters. I am not so sure that this is a desirable step. I am not so sure that I would like to see such a precedent established. Today it may strike the Jewish faith, tomorrow it may be the Catholic or Protestant religion. We have a long and established reputation for leadership in the field of religious freedom. I should not like to see the enactment of a bill containing a section which might be interpreted as an official sanction of religious discrimination—which is what section 2 implies.

For the reasons cited above, I submit a substitute for the entire section 2 and add a new section 6 which is not now contained in the bill. The substitute prescribes two methods of slaughtering and handling which are found to be humane. Of these, the second applies to the religious faiths and reads as follows:

(b) By slaughtering in accordance with the ritual requirements of the Jewish faith or any other religious faith that prescribes a method of slaughter whereby the animal suffers loss of consciousness by anemia of the brain caused by the simultaneous and instantaneous severance of the carotid arteries with a sharp instrument.

And the new section to be added at the end of the bill states:

Nothing in this act shall be construed to prohibit, abridge, or in any way hinder the religious freedom of any person or group to slaughter and prepare for the slaughter

of livestock in conformity with the practices and requirements of his religion.

It is my understanding that these amendments are acceptable to the vast majority of the Jewish community and its religious leaders.

The testimony before our committee, as well as the written representations made to our committee on behalf of the various humane societies that have been urging the enactment of this bill, all affirmatively establish that shechitah—the method of slaughtering in accordance with the Jewish faith—is a humane method of slaughtering animals. None of us question that.

It is important, therefore, to note that this bill does not create an exemption or an exception on behalf of those of the Jewish faith; rather it declares in so many words that their method is humane. To make assurance doubly sure, we added the additional section which repeats the constitutional mandate that nothing we do shall interfere with religious freedom.

Mr. Chairman, I urge you and all my colleagues to adopt this substitute and amendment so that we may proceed with final passage of this bill.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. ANFUSO. I yield to the gentleman from North Carolina.

Mr. COOLEY. May I say to the House that the amendments now being proposed by the gentleman from New York [Mr. ANFUSO] were considered by the House Committee on Agriculture. My recollection is that they were unanimously approved by the members of that committee. I certainly am in favor of the amendments and will vote for them. I hope the House will adopt them.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. ANFUSO. Mr. Chairman, I ask unanimous consent to proceed for 1 additional minute.

Mr. MASON. I object, Mr. Chairman.

(Mr. ANFUSO asked and was given permission to revise and extend his remarks.)

Mr. GROSS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I should like to ask the gentleman from Texas or someone the difference between the knife killing of livestock as used by the Jewish faith and the knife killing of livestock by anyone else?

Mr. POAGE. The difference is this: The Jewish faith requires such use of the knife as to bring about instantaneous death. The slaughtering in the packinghouses on the wheel, which most of the large packers have long used, involves not a cutting of the throat at all but rather merely a sticking of the animal with the deliberate intention to leave the animal alive when it bleeds, on the theory that the animal bleeds better when alive than after death occurs. So, the packinghouse method today is deliberately intended to leave the animal alive. The Jewish method results in instantaneous death. That is the difference.

Mr. GROSS. When an animal is killed by the Jewish method, is it drained of blood?

Mr. POAGE. I certainly would not want to pass on that. I do not know. But it satisfies the Jewish belief. If anybody likes that meat, that is perfectly satisfactory with me. I never have been able to tell them apart, myself.

Mr. GROSS. Then there is no difference in the present method of killing hogs by sticking them and the method used by the Jewish faith with respect to other livestock?

Mr. POAGE. I just got through pointing out that there is a very decided difference. There is a difference of carrying a live, conscious animal through the air, shackled by one leg for a good long time, and that of having a dead animal. That is the difference.

Mr. GROSS. I doubt if there is any more pain inflicted on the animal by being swung up slowly on a wheel than there is in branding cattle in Texas or some other southwest part of the country. I can think of other handling of livestock, and so can the gentleman—I do not care to discuss it on the House floor, and it is not covered in this bill—that is more painful than anything you have talked about so far.

Mr. POAGE. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I am glad to yield to the gentleman.

Mr. POAGE. George Hormel & Co. are not in business for their health. They pay dividends the same as any other profitmaking institution tries to. They established in the neighboring State close to the gentleman's district a rather modern plant and at very considerable expense the carbon-dioxide chamber for hogs not because they were philanthropic but because they felt it would save them money on the loss of meat.

Mr. GROSS. Now the gentleman is using my time, but the question I originally asked was, how humane is the slaughter by the Jewish faith? What is the difference between the two, that is what I want to know.

Mr. POAGE. I do not think the method used in accordance with the Jewish faith is at all inhumane.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield.

Mr. HOFFMAN. He says over there in one case they stick the knife in and in the other case they ease the knife in.

Mr. GROSS. Oh, I see.

Mr. MULTER. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I am glad to yield to the gentleman from New York.

Mr. MULTER. Despite what was just said by the last gentleman who tried to answer your question, he did not describe the Jewish method of slaughter of animals. It is not done by easing—it is done by one swift stroke which instantaneously severs both the jugular vein and the carotid arteries immediately insensitizing the animal.

Mr. GROSS. The meat that you use or that the Jewish faith uses, let me say, is drained of blood; is it not? You want the carcass drained of blood; do you not?

Mr. MULTER. Immediately after the animal is killed, the blood is drained out of them.

Mr. GROSS. They cannot be drained if there is a complete paralyzation of the animal by the knife method that you use; is that not correct?

Mr. MULTER. No, that is not so.

Mr. GROSS. If there is complete paralyzation, how can an animal be completely and properly bled?

Mr. MULTER. There is a difference between paralyzing and insensitizing caused by the loss of blood from the brain.

Mr. GROSS. I cannot agree with that.

Mr. Chairman, I am for the humane slaughter of livestock. By all means let us do all we can to eliminate inhumaneness wherever it may be found, but let us be fair and end inhumane practices on the part of everyone.

Mr. HOFFMAN. Mr. Chairman, I rise in support of the amendment.

(Mr. HOFFMAN asked and was given permission to revise and extend his remarks.)

Mr. HOFFMAN. Of course, Mr. Chairman, if you cut an artery, the blood runs out. But if someone of the Jewish faith sticks a sharp instrument in the carotid artery, we have just been told the animal dies instantly. But, if someone else cuts the artery—and the gentleman from Texas did say “to ease the knife in” the blood does not run out as soon; the animal does not die at once but lingers on and suffers. Of course, what the gentleman has forgotten is yesterday's paper carried a story about an accident where a man in California was hurt. I understand he fell through a plate glass window—but listen and I will read the story—please—you gentlemen who have been telling committee members that when a jugular vein or carotid artery is cut—death is instantaneous, Mr. MULTER, Mr. POAGE, listen, I read:

NO PULSE, NO RESPIRATION, NO BLOOD PRESSURE—‘CORPSE’ WITH THROAT CUT IN BRAWL IS REVIVED BY FAST HOSPITAL ACTION

SAN FRANCISCO, February 3—Prompt action by a surgeon and two ambulance stewards was credited today with saving the life of a man who was “legally dead” as the result of a severed jugular vein.

Authorities said Veldon Averett, 37, fell through a plate glass window in a tavern in a scuffle with a drinking companion. His jugular vein and carotid artery were severed.

“The man was legally dead when I examined him,” said the surgeon, Dr. Sanford Marcus. “There was no pulse, no respiration and no blood pressure.

“He had a wound in his throat big enough to shove your fist through. He didn't have enough blood left in him to keep a chicken alive.

“But Steward Joseph Lanthier told me he thought Averett's eyes fluttered once on the way in, so I thought it was worth a try to bring him back to life.”

Dr. Marcus, a figure in a sensational kidnapping of his infant son two years ago, said he first shot adrenalin into the heart “and it responded.” Next the damaged artery and blood vessel were clamped off.

“We pumped in three pints of plasma, five pints of whole blood and one pint of a chemical blood substitute,” he said. “Within an hour he regained consciousness and within three hours his condition was good enough to permit transfer to San Francisco Hospital.

“It was a case of everyone doing the right thing as fast as he could,” the surgeon said. “The steward promptly cut down the loss of blood at the scene with compresses, and ambulance driver John Harte drove the 3-mile round trip in about nine minutes.”

Dr. Marcus' newborn son was kidnaped from a hospital nursery in 1955 by a Stockton, Calif., woman. The child was recovered unharmed nine days later.

Did the gentleman from Texas, the gentleman from Missouri get that—jugular vein and carotid artery both—both cut—but the man lived. I wonder if the gentleman from Texas [Mr. POAGE] will tell me, if the purpose was in preventing cruelty to animals, why did you not put something in the bill to prevent branding cattle before sending them to market. Why did you not put something in there about roping, throwing, and branding your cattle with a red-hot iron before you send them to market. Does burning the hair and some of the hide off a steer cause pain—if not, why does the steer bawl—just out of joy? Why did you not prohibit branding in the bill? I am waiting. You are listening.

Mr. POAGE. If the gentleman wants to know why, it is because the committee wrote a bill relating to the slaughter of animals and not with reference to the branding of animals.

Mr. HOFFMAN. In other words, it is all right to torture them before you kill them, if they are not being slaughtered for food?

Mr. POAGE. The branding of animals has nothing to do with the slaughter.

Mr. HOFFMAN. No? It is all right to burn part of the hide off while branding but, do not hurt them while killing them for market; why not protect animals while getting them ready to ship as well as after? What nonsense—what utter nonsense to pretend making an effort to prevent cruelty while leaving the red-hot iron free.

Mr. POAGE. The gentleman asked me a question and yielded to me to answer and now he is putting words in my mouth that I did not say.

Mr. HOFFMAN. All right, now then you say them yourself. Why did you not prohibit branding in this bill if your objective was the preventing of cruelty to animals?

Mr. POAGE. Because this committee was writing a bill relating to the slaughtering of animals. We did not cover the whole field of cruelty to animals, human beings, flies, grasshoppers or a great many other things—

Mr. HOFFMAN. Or Congressmen. But you are putting this bill across by stating its purpose is to prevent cruelty to animals—that it does not do.

Mr. POAGE. We did cover a field in which the United States Government is spending your tax money and mine.

Mr. HOFFMAN. That is long enough. That is long enough—that is your answer.

Mr. Chairman, I decline to yield further.

Mr. POAGE. This is the field in which the Government of the United States is spending our good tax money.

Mr. HOFFMAN. Mr. Chairman, I decline to yield further. If the bill was

devised to prevent cruelty to animals, it was no trouble to protect the animal while on the road to the slaughtering pens. And on this business of slaughtering animals, does it apply to the farmers? No, because this is interstate and foreign commerce. The committee does not touch the animal being slaughtered by the farmer—only those who sell to Uncle Sam.

Mr. Chairman, I yield back the balance of my time.

Mr. FARBSTAIN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I hesitate to take issue with my colleague from New York [Mr. MULTER] in some of the statements he has made. Perhaps after I have finished he can explain what I am going to read.

I have in my hand a telegram, dated February 3, 1958. This is from the Union of Orthodox Rabbis of the United States and Canada. It gives the names of three rabbis and says further that they are members of the Preisium. It is addressed to me. It read as follows:

In behalf of our organization, the highest rabbinical authority in the United States, we urge you to address the House of Representatives tomorrow and vigorously oppose H. R. 8308, regardless of any amendment. All rumors of acquiescence in any amendment by any orthodox organization are false and groundless. Please emphasize following points: From historical viewpoint American Jewish community has cause for deep concern over such legislation, for experience demonstrates that it leads in time to agitation against shechita itself. Moreover, except shechita the methods prescribed in the bill as humane are highly dubious. This demonstrates that further study and research are necessary before any legislation is proposed. Your strong opposition to bill will be an invaluable service to religious Jewry.

Now, objections raised by these gentlemen can be explained in this fashion: In England there was enacted a law similar to this, that called for humane slaughter, and it was described there practically as described here. Despite the fact that that is now the law in England, I think last year there was introduced another bill. At least there was an attempt made to introduce a bill into the Parliament declaring all ritual slaughtering or all shechita illegal. Fortunately there were not enough votes to permit the introduction of that bill; and, therefore, today the law in England still permits shechita. Nevertheless, there was this tremendous agitation after the passage of the first humane-slaughtering bill which sought to make shechita illegal. Furthermore, in this bill, as I see it—I may be wrong—there is a criminal penalty.

Page 3, lines 12 to 18, states:

After December 31, 1959, each supplier from which any livestock products are procured by any agency of the Federal Government shall be required by such agency to make such statement of eligibility under this section to supply such livestock products as, if false, will subject the maker thereof to prosecution (18 U. S. C. 287).

This suggests that one who makes what is considered a false statement in the sale of slaughtered animals to the Government is guilty of a crime. Section 2 says, in effect, that all animals to be

considered humanely slaughtered shall be rendered insensate to pain by a single blow or gunshot. It is a known fact that there is failure in rendering insensate these animals by a single gunshot. This raises the question whether or not one who makes representation to the Government of this supposedly humane method of slaughtering, is guilty of a false statement within the law when it turns out that they had not been slaughtered humanely because they were not rendered insensate by a single blow. It has been suggested by the gentleman from Texas [Mr. POAGE] that the interpretation is with reference to the method.

I am not satisfied that anyone slaughtering animals who to the best of his ability has tried to slaughter them in a humane way and so states may not still be subjected to being accused of the commission of a crime.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. COOLEY. Mr. Chairman, I rise in support of the amendment.

I would like to say to the gentleman from New York that it seems to me rather strange that these individuals should wait until February 3 to complain about this bill that has been under consideration for practically 2 long years.

Furthermore I would like to point out that the section referred to does not define any criminal offense; it provides only that if an individual makes a false statement he will be subjected to prosecution under a law which is already on the statute books.

Let me say further that these amendments, if I understand them, were actually written by Jewish rabbis and they were written for the purpose of making this bill acceptable to those of the Jewish faith.

Now the gentleman from New York [Mr. FARBSTEN] certainly knew what he was talking about in regard to the present amendment. He collaborated in the preparation of the amendments. They were submitted by the gentleman from New York [Mr. ANFUSO]. We did not have these provisions in the bill originally, but in an effort to make the bill acceptable we are now providing these amendments which were considered by the committee and I think unanimously approved by the committee.

Mr. FARBSTEN. Mr. Chairman, will the gentleman yield to me for an answer?

Mr. COOLEY. I wish the gentleman would answer this question: Has the gentleman any amendment that is better than these we are presenting?

Mr. FARBSTEN. I do not have any amendment; I do not seek to amend this bill, although I understand the gentleman from South Carolina [Mr. DORN] has an amendment to the bill providing for further study, because I understand the Department of Agriculture itself does not know the definition of the word "humane." That is the reason they have been opposed to this bill since its inception.

How can you possibly hold a man guilty of a crime when the bill itself does not give a definition of the word "humane"?

Mr. COOLEY. The gentleman apparently has not read this bill, or certainly he does not interpret it correctly. I have just pointed out, and I do so again, that the bill states that if a person makes a false statement he can be prosecuted under another law. Does the gentleman want to strike that out and let him make false statements with impunity?

Mr. Chairman, I say that this is an important measure. I do not believe it should be regarded as nonsense, as it has been referred to here during this debate. If you could see the tremendous amount of—I will call it propaganda, that has come to us from every nook and corner of this great Republic you would be amazed. Every humane society in America has been communicating with us constantly during the past 2 years. This is a matter in which the American people are intensely interested. The bill, of course, is not perfect, but it is a step in the right direction and is a step that we should have taken long ago.

Mr. ANFUSO. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from New York.

Mr. ANFUSO. I should like to state, Mr. Chairman, as most of the Members here know, no one is more interested in protecting any religious faith than I. I was very patient with the committee that came before us. I think some 200 rabbis from throughout the country were represented.

I am astonished that at this late date there should be some objection. The chairman of our subcommittee would be the last person in the world to deny any religious freedom, and I certainly would be. I thought when we received this last amendment which arrived, incidentally, only this morning—the final correction was made by me this morning—I thought we were taking care of the objections, and I am very disappointed at this turn of events.

Mr. FARBSTEN. Mr. Chairman, will the gentleman yield?

Mr. ANFUSO. I do not have the floor.

Mr. COOLEY. I will yield to the gentleman from New York.

Mr. FARBSTEN. The gentleman knows that the Jewish religion has 3 sects, 3 principal ones at least. There is the orthodox, there is the reform, and there is the conservative. One is an offshoot of the other, just as in the Christian religion you have the Protestant, then you have the Baptists, and so on. The orthodox Jew adheres strictly to the Bible.

Mr. COOLEY. Mr. Chairman, I do not yield further to have a lecture on the Jewish faith. I want to ask the gentleman, is he in favor of humane slaughter or inhumane slaughter?

Mr. FARBSTEN. Of course, I am in favor of humane slaughter. There is no one opposed to humane slaughter. The Bible has always contended that we are in favor of humane slaughter.

Mr. COOLEY. Why does not the gentleman vote for the bill, then?

Mr. FARBSTEN. This bill does not do anything but what has been done.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. KEATING. Mr. Chairman, I move to strike out the requisite number of words and I do this only for the sake of clarification. I am a little bit confused by the discussion that has taken place on these amendments. The gentleman from New York refers to an amendment in the remarks which he recently made, and I refer to the gentleman from New York [Mr. ANFUSO]. Earlier in the debate I interrogated the gentleman from Texas about an amendment which he proposed to offer or which the committee would offer. My question is, Are those two amendments one and the same?

Mr. POAGE. The gentleman asked me about the proposed amendment fitting in with the present language. I tried to give him what might be called the Ramseyer rule, the new language and the changed language. The amendment is to strike out all of the existing language and to insert new language, but it comes down to exactly what I said to the gentleman and what I tried to point out, where it would change words and insert new words. He struck out the entire section.

Mr. KEATING. The gentleman from Texas feels that the amendment as offered or as mentioned by the gentleman from New York is in accordance with the colloquy we had earlier in the debate?

Mr. POAGE. Exactly. It comes out exactly the same.

Mr. KEATING. I thank the gentleman.

Mr. DAWSON of Utah. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield to the gentleman from Utah.

Mr. DAWSON of Utah. I would like to direct this question to the gentleman from Texas. I have a copy of a letter which the gentleman inserted in the Record on behalf of the Rabbinical Assembly of America, and the United Synagogue of America, representing the conservative rabbinate and the conservative congregations, the Central Conference of American Rabbis and the Union of American Hebrew Congregations, representing the reform rabbinate and reform congregations, and the American Jewish Congress. This would include practically all of the Jewish organizations? Am I correct about that?

Mr. POAGE. It includes all except the Union of Orthodox Rabbis. I know of none other.

Mr. ANFUSO. Mr. Chairman, will the gentleman yield?

Mr. KEATING. I yield to the gentleman from New York.

Mr. ANFUSO. I would like to say in defense of the rabbis and the associations which appeared before our committee and also which consulted me in my office, that they did express views as stated before by my esteemed colleague from New York [Mr. FARBSTEN]; but, then, when they were told that we must have legislation of this nature, which is long overdue, and they were given the

protection which my amendment seeks to give to them, they were satisfied with it.

Mr. MULTER. Mr. Chairman, I move to strike out the requisite number of words.

(Mr. MULTER asked and was given permission to revise and extend his remarks.)

Mr. MULTER. Mr. Chairman, I want to be sure that we are not going to be confused by any of the statements which have been made, all made in the utmost of good faith. There are many sects of the Jewish religion, and even divisions within each sect. It would, indeed, be utopian if all religious sects could agree. I am not going to give you a lecture, however, on the Jewish religion.

I do want to make clear, if possible, how near to agreement we have come.

Now, I said to you before that a letter has been made part of this RECORD by the gentleman from Texas [Mr. POAGE], dated January 29, 1958, in which Mr. Leo Pfeffer writes on behalf of these organizations: First, the American Jewish Congress—a national organization of Jewish laymen and rabbis of all persuasions; second, the Rabbinical Assembly of America—that is, the national organization of the conservative rabbis; third, the United Synagogues of America—that is the national organization of conservative laymen; fourth, the Central Conference of American Rabbis—the national organization of reform rabbis; and fifth, the Union of American Hebrew Congregations—the national organization of reform laymen.

Mr. Pfeffer says in his letter, referring to the amendment which the gentleman from New York [Mr. ANFUSO] has offered and about which we are speaking now, after setting forth this amendment, Mr. Pfeffer writes to Mr. POAGE, "With this amendment, I am authorized by the organizations listed above to inform you that these organizations and their membership have no opposition to H. R. 8308." Incidentally, the American Jewish Committee, another national association of Jewish leaders, finds no fault with this new language.

I want to compliment every last Member who has participated in this, Jewish and non-Jewish alike, for their high-minded approach to this problem in order to try to keep off this floor any semblance of an argument about religion. Having accomplished that, I am not going to get you into an intra-Jewish conflict on this matter.

Let me give you this assurance, as one born into the orthodox Jewish faith and who today is a member of the President's Council of Yeshiva University, which includes a theological college, one of whose main functions is to ordain orthodox rabbis, that neither all of the orthodox rabbis nor all of the orthodox Jews are opposed to this bill and that many, if not most, of them will approve it as amended. This organization whose telegram has been read to you has no right to talk for all of the orthodox rabbis nor for all orthodox Jews. The signers of that telegram cannot claim unanimity within their own organization. They certainly have no right to pretend to be

the highest rabbinic authority anywhere.

Every other organization of orthodox rabbis, as well as those of the conservative and reform rabbinate, will reject that claim.

Let us not get into that. I say to you with all the vigor at my command that this bill offers no offense to any religious group; it protects them all, and it is a better bill if this amendment prevails.

Mr. CHELF. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from Kentucky.

Mr. CHELF. Is it a fair statement to say that this amendment will satisfy the great majority or the vast majority of folks of the Jewish faith?

Mr. MULTER. I would rather say that it will satisfy the overwhelming majority of the people of Jewish faith.

Mr. CHELF. That is what we non-Jews want to know. We want to be sure not to interfere with any religious observance.

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

Mr. DORN of South Carolina. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DORN of South Carolina: Strike out everything after the enacting clause in the bill as amended by the committee and substitute therefor the following: "That the Congress finds that the use of humane methods in the handling, transporting, and slaughtering of livestock and poultry prevents needless suffering; brings about improvement of products; and produces other benefits for producers, processors, and consumers which tend to expedite the orderly flow of livestock and poultry and their products in interstate and foreign commerce. It is therefore declared to be the policy of the Congress to provide for study and research to develop improved methods of handling, transporting, and slaughtering, and to encourage acceptance and use of such methods to the end that livestock and poultry shall be handled, transported, and slaughtered only by humane methods.

"SEC. 2. The Secretary of Agriculture is authorized to conduct, assist, and foster research, investigation, and experimentation to develop and to encourage the adoption of improved methods of handling, transporting, and slaughtering livestock and poultry.

"SEC. 3. To assist in implementing the provisions of section 2, the Secretary is authorized to establish an advisory committee. The functions of the advisory committee shall be to consult with the Secretary and other appropriate officials of the Department of Agriculture and to make recommendations relative to (a) the research authorized in section 2; and (b) obtaining the cooperation of the public, producers, farm organizations, industry groups, humane associations, and Federal and State agencies in the furtherance of such research and the adoption of improved methods. The chairman of the committee shall be an official of the Department of Agriculture designated by the Secretary. The committee shall consist of not more than eight members other than the chairman and shall be appointed by the Secretary and shall include representatives of (a) the public, including groups concerned with humane handling of animals, (b) producer and industry groups, and (c) scientific and professional groups. The committee shall meet at the call of the Secretary or his designee. Committee members other than the chairman

shall not be deemed to be employees of the United States and are not entitled to compensation, but the Secretary is authorized to allow their travel and subsistence expenses necessary in connection with their attendance at meetings called by him or his designee for the purpose of this section.

"SEC. 4. The Secretary of Agriculture shall report to the Congress on January 1, 1959, and annually thereafter concerning actions taken pursuant to this act.

"SEC. 5. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this act."

Amend title to read as follows: "A bill to promote the development and use of improved methods for the humane handling, transporting, and slaughtering of livestock and poultry in interstate and foreign commerce."

Mr. DORN of South Carolina. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes and to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DORN of South Carolina. Mr. Chairman, there is not a single person in this great House who is opposed to the humane slaughter of animals or the humane treatment of animals. Certainly for those of us who farm, whose only occupation other than being here is that of agriculture, it is in our interest and the interest of the country to promote the humane handling and care of animals. I can assure you that that is the practice on the farm that it is my privilege to own and operate.

Mr. Chairman, this debate today has served to bring out the fact that there is much confusion concerning this type of legislation. You will note that in the committee report—and I hope you read it carefully—one of the principal reasons advanced for the passage of this legislation was the fact that a certain number of letters had been received by the committee and the members of the subcommittee.

Now, what are the facts concerning public support of this compulsory type of legislation? I have here a statement from the American Farm Bureau opposing the so-called Poage bill. I have here a statement from Mr. True D. Morse, Acting Secretary of Agriculture, sent to me this morning opposing this legislation. Now, mind you, here we want to vest in the Secretary of Agriculture's office the enforcement of a compulsory law that he is not in sympathy with and that he is not sure what the House intends when it defines "humane slaughter of animals."

I have here a telegram from the National Wool Growers Association endorsing my substitute bill and opposing the Poage bill.

I have here a telegram from Mr. Radford Hall, executive secretary of the Cattlemen's Association in Denver, Colo. I have here a telegram from Mr. Smith, president of the South Carolina Livestock Council. One from the Cattlemen's Association of the State of Oklahoma. The National Grange is opposed to compulsory legislation.

DENVER, COLO., February 3, 1958.
Hon. W. J. BRYAN DORN,
House Office Building,
Washington, D. C.:

We understand that humane slaughter legislation is to be considered on floor of House tomorrow. For your information I call your particular attention to the following resolution approved by the American National Cattlemen's Association, in convention January 9, 1957:

"HUMANE SLAUGHTERING

"Whereas the American Humane Association is backing legislation to force drastic changes in methods of slaughtering food animals; and

"Whereas the packers have for some time cooperated in a joint committee with the American Humane Association in improving methods of handling livestock: Therefore be it

"Resolved, That we strongly favor humane treatment of livestock but urge that progress in this matter be made through the continued cooperation of packers and the humane association rather than through legislation."

RADFORD HALL,
Executive Secretary.

CHARLESTON, S. C., February 3, 1958.
Congressman WILLIAM JENNINGS BRYAN DORN,
House Office Building,

Washington, D. C.:

South Carolina Livestock Council has asked entire South Carolina delegation to support your alternate humane slaughter bill, H. R. 5320. Many thanks and good luck to you.

R. B. SMITH, President,
South Carolina Livestock Council,
Greenwood, S. C.

OKLAHOMA CITY, OKLA.,
February 4, 1958.
Congressman W. J. BRYAN DORN,
House Office Building,
Washington, D. C.:

We respectfully, but urgently, solicit you to move adoption of your bill, H. R. 5820, as a substitute for H. R. 8308. H. R. 8308 would curtail slaughter of livestock in many plants.

JACK R. HOUSER,
Executive Secretary, Oklahoma Cat-
tlemen's Association.

FEBRUARY 3, 1958.
We urge your support of the Dorn bill, H. R. 5820, which will be offered as a substitute for the Poage bill, H. R. 8308, on the House floor. We favor humane slaughter and are working to bring this about as rapidly as humane methods are developed that are practicable and within the financial reach of small packers. The Dorn bill calling for study and research on this important issue has support of livestock and farm organizations and United States Department of Agriculture. Compulsory legislation would be a mistake at this time. The Poage bill should be defeated.

E. F. FORBES,
President, Western States Meat
Packers Association, Inc.

RESOLUTION ADOPTED BY THE NATIONAL WOOL
GROWERS ASSOCIATION ON JANUARY 23 AT
THEIR NATIONAL CONVENTION IN PHOENIX,
ARIZ.

We are opposed to any impractical and un-economic legislation regarding methods of slaughtering lambs. We commend the principles involved in Senate bill 1213, asking for a study of humane slaughtering methods.

NATIONAL WOOL GROWERS ASSOCIATION,
Headquarters, Salt Lake City.

AMERICAN FARM BUREAU FEDERATION,
Washington, D. C., February 4, 1958.
Hon. W. J. BRYAN DORN,
United States House of Representatives,
Washington, D. C.

DEAR CONGRESSMAN DORN: Attached is a copy of a letter expressing the views of the American Farm Bureau Federation on humane slaughter legislation. This letter was sent in April 1957 to Congressman POAGE at the time the Subcommittee on Livestock and Feed Grains of the House Agriculture Committee was holding hearings on this matter.

The attitude of the American Farm Bureau Federation on humane slaughter legislation has not changed since that time.

Sincerely yours,

JOHN C. DATT,
Assistant Legislative Director.

AMERICAN FARM BUREAU FEDERATION,
Washington, D. C., April 1, 1957.
Hon. W. R. POAGE,
Chairman, Livestock and Feed Grain
Subcommittee, House Agriculture
Committee, United States House of
Representatives, Washington, D. C.

DEAR CONGRESSMAN POAGE: On behalf of the American Farm Bureau Federation we would like to express our views with regard to bills requiring the compulsory application of so-called humane methods in the slaughter of livestock and poultry. Naturally, as a representative of livestock producers, we have a tremendous interest in this matter.

With the membership in Farm Bureau at about 1,600,000 I would judge that a very large majority of this membership is actively engaged in producing, feeding and marketing livestock, dairy, and poultry. From a completely practical point of view we believe the humane handling of livestock and poultry at all levels is perhaps of greater interest and concern to us than to any other group. Farmers and ranchers usually give the utmost care to their livestock.

In considering this legislation it is necessary for us to view compulsory legislation in this field in light of its possible economic impact on livestock producers. It seems to us that the meatpackers, the humanitarians, the scientists, and others cannot yet agree on the most practical or even the most humane method for slaughtering livestock. In light of the controversy around this issue it seems to us that compulsory legislation at this time would be very premature and not in the best interest of either the producers of livestock or the consumer.

We would recommend that an advisory group under the direction of the Secretary of Agriculture be established to give concerted study to this problem. It is our belief that a great deal more could be achieved toward a solution to this problem on a voluntary basis than if compulsory legislation is passed. The success of any program of this kind is largely dependent on the willingness of those dealing with the matter to cooperate.

In other words, we strongly believe that the greatest progress toward the solution of this problem will come about through the development of voluntary programs, based on factual information made possible through cooperative efforts of all segments of the livestock, poultry, and meat industry, and those interested in the humane handling of livestock and poultry at all levels of production and processing.

We respectfully request that this letter be made a part of the record of hearings.

Sincerely yours,

JOHN C. LYNN,
Legislative Director.

DEPARTMENT OF AGRICULTURE,
Washington, D. C., February 4, 1958.
Hon. WILLIAM JENNINGS BRYAN DORN,
House of Representatives.

DEAR CONGRESSMAN DORN: This is in reply to your request of February 3, for a report on H. R. 8308, a bill to establish the use of humane methods of slaughter of livestock as a policy of the United States, and for other purposes.

The Department emphatically favors humane slaughter of livestock by any method that is found to be practicable and workable. However, we oppose the enactment of H. R. 8308, on the basis that it would tend to cause confusion. We believe that the end result could best be obtained through scientific research and development and cooperation of the public, producers, farm organizations, industrial groups, and humane associations.

Our opposition to the enactment of H. R. 8308 is based on the following facts:

Even the stunning methods advocated by the humane organizations would not be in conformity with the stated public policy, because the methods have been known to fail to stun each and every animal with a single blow.

Slaughtering in connection with the practices of a religious faith is declared to be humane, but it is not clear whether the handling of livestock in connection with such slaughtering, must conform with the stated public policy—this would require all such livestock to be rendered insensible prior to slaughter, contrary to most religious laws.

There are approximately 3,000-livestock slaughterers, of which 500 are eligible to sell meat to Federal agencies. The procurement provisions would apply only to the owners of plants which actually contract to sell to such agencies. Furthermore, the bill does not apply to slaughterers of poultry.

Even though there is a lack of authoritative scientific information on the subject of humane slaughter of each species of livestock and the handling in connection therewith, the Secretary is compelled without waiting for the research and study provided in the bill, to designate methods which are or are not in conformity with the stated public policy.

The difficulties of compliance, due to its stringent and ambiguous terms, would greatly restrict the competitive bidding on Federal meat contracts and inevitably result in marked increase in cost to the Government, as well as, hamper supplies and disrupt the marketing of livestock.

Programs designated to stabilize the livestock market by purchasing of surplus meats would be jeopardized. The programs must be conducted on short notice and during brief periods when prices to producers are seriously depressed and livestock numbers are especially high.

The bill might cause such confusion as to impede progress on the part of slaughterers, researchers, local jurisdictions, and humane associations in the field of humane handling and slaughtering of livestock.

In lieu of H. R. 8308, we would again recommend that the Congress consider the merits of H. R. 5820. This bill would provide an orderly approach to the objective of humane slaughter and would, in addition, provide for a coordinated national effort to improve the humane handling and transport of food animals which involve repeated handling of these animals during the marketing process from farm to slaughter.

The Bureau of the Budget advises that there is no objection to the submission of this report.

Sincerely yours,

TRUE D. MORSE,
Acting Secretary.

Mr. Chairman, this legislation is dangerous legislation. In section 2 of the bill there is language such as—by a single blow of the hammer, or a gunshot; and it goes on to add electrical and chemical devices.

My bill provides for the appointment of a committee of eight people in addition to a representative of the Department of Agriculture. This committee is to meet with the humane societies. It is to be composed of representatives of the public, the meat producers and the meatpackers, and the Department of Agriculture, to determine what is the most humane method to dispatch livestock in America. And they are to report back to this Congress within 2 years so that we may proceed without all of this confusion.

Mr. Chairman, let me call your attention to section 3 of the bill, which, as the gentleman from New York has pointed out, calls for criminal punishment under title 18 of the United States Code. Let me point out this, also in that section—and I hope every single Member here before he votes on this bill will read section 3—that no meatpacker can sell meat to the Government of the United States, under any of its procurement programs—Army, Navy, Air Force, Marine Corps, school lunch program, they did not say the school lunch program, but it mentions price supports and I am wondering, I will say to the chairman of the Committee on Agriculture, if this bill does not go much further afield than has been represented here today.

Here is another strange aspect of this bill. It sets forth the policy of this Congress in defining humane slaughter. The bill makes it unlawful to slaughter animals except in certain ways. Then it goes on to say the producers and the packers and the consumers will all benefit by the passage of this bill. That is under the policy section. Then lo and behold, in section 4 of the bill it provides for a committee to study and to determine what is the most humane method. The bill defines humane slaughter at the same time setting up a committee to study the most humane methods. No wonder the Secretary of Agriculture is so bitterly opposed to this type of legislation.

Let me say right here that some years ago Dr. Galloway of the Congressional Library, who is not affiliated with any political party, who is a statistician, said that 90 percent of all the laws, rules, and regulations with the full force and intent of the law are not written by the Congress, but by the departments and agencies and bureaus of the Federal Government. How refreshing it is to see one department of the Federal Government that has the courage to come here and say that, "We do not want any more power over the great meat and livestock industry of this country."

The Department of Agriculture informs me that this Poage bill cannot be properly enforced. It is vague and ambiguous. It will embarrass and curtail Federal meat-purchasing activities. It will restrict the competitive bidding on Federal meat contracts and result in cost to the taxpayers as well as hamper

supplies. This bill could result in lower prices to farmers for livestock by restricting the Defense Department's buying program.

The Poage bill would overrule local, State, national humane organizations and livestock groups which might differ with the Secretary of Agriculture on his methods of slaughter. This bill will hurt the little packer struggling to compete in a highly competitive field.

Mr. Chairman, I am glad to see one department of the Federal Government that does not want this enormous power to regulate, intimidate, and harass one of the greatest industries in the world. It is just incidental that the Secretary of Agriculture happens to be a member of the party on my left. I congratulate Mr. Benson for opposing this confusing legislation.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. DORN of South Carolina. I will be delighted to yield to the distinguished chairman of the committee.

Mr. COOLEY. It is rather refreshing to hear the gentleman's comments concerning Mr. Benson. It is the first time I have known the gentleman had such great confidence in the Secretary.

What I wanted to ask the gentleman was this: In section 5 we authorize the Secretary to establish an advisory committee composed of 12 members. What authority does the gentleman propose to give his 9-man committee that is not given to the 12-man committee provided for in this bill?

Mr. DORN of South Carolina. That is exactly the point. I am glad the gentleman brought it up. The bill that came out of his committee in the policy section and in sections 2 and 3 provides for all of this to be compulsory. Then you go ahead in the same bill, not knowing what humane slaughter is all about, and provide for research and a committee to study what is humane slaughter.

Mr. COOLEY. Is it not rather strange that the gentleman should come here and present a bill, then object to its being read and ask to waive the reading of the bill, and then ask the House to reverse the Committee on Agriculture and take the gentleman's leadership and adopt a bill they have not even heard read?

Mr. DORN of South Carolina. All the bill provides for—

Mr. COOLEY. I wish the gentleman would tell us what it provides.

Mr. DORN of South Carolina. A committee of eight, representing the humane societies, the producers, packers, and scientists.

Mr. COOLEY. To do what? To study this for 2 long years?

Mr. DORN of South Carolina. To study what is the most humane method of slaughter.

Mr. COOLEY. To study for 2 years and report back?

Mr. DORN of South Carolina. And report back to this House so we can legislate intelligently. No two packers in this country seem to agree on what is the most humane method. Let us have a scientific study of the various methods and report to the country. This is exactly what my bill provides for. We should

not legislate blindly. I am for humane slaughter, but let us first determine what is humane slaughter.

Let me say in reference to Mr. Benson, the Secretary of Agriculture, that I did not call his name, but I will say this, and I repeat, it is refreshing to me, and I do not care what political party he belongs to, to see one man in this Government who is anxious to get the Government out of business in this country.

I am a farmer. No man, more than a farmer, can have greater concern for the welfare of the animals he raises on his land. Cruelty to animals is abhorrent to the good farmer, not only because it is morally wrong, but because it is wasteful—it is just not good husbandry. There is no profit to be had from animals that have been allowed to languish and suffer from sickness, or have been injured by wanton brutality. But the fate of the domestic animal, the whole reason for its existence, is to provide food for man—as the Good Book says in Genesis, chapter 9, verse 3: "Every moving thing that liveth shall be meat for you"—and no matter how a farmer's heart may be touched, his herds and flocks must in the end go to the slaughter pen if the Nation is to be fed.

There is no way, let us confess it—unless we are all to become vegetarians—to relieve our flocks and herds. Nor, let us also confess, here and now, to bring death to any animal that can be considered pleasant. The slaughterhouse can never be a pretty place.

The best we can hope to achieve is to make the slaughter of animals as humane as possible, and there is not one farmer, one rancher, one meatpacker, or meat consumer who would not support legislation to that end. To vote against it would be to vote for the sin of cruelty.

But enormous problems are involved—problems that have beset the entire meat industry for many years—and they are not to be solved by any law that does not take account of them. In fact, a law that ignores them and seeks to impose standards it cannot enforce, may well set back the cause of humane slaughtering rather than encourage it. Moreover, it could produce such chaos in the meat industry that this Nation, one of the largest meat-eating countries in the world, could in weeks be reduced to meat rations, worse than any in the leanest time of World War II—shades of OPA and meat lines at butcher shops. I am sure that the distinguished majority leader, the gentleman from Massachusetts, will recall the political debacle of 1946 that beset our party caused by meat shortages—caused by disruption of this vast and complicated industry.

Such a law, in my view, is that proposed by the Poage bill—H. R. 8308—now before you. I do not quarrel with its preamble, which requires the Secretary of Agriculture to conduct, assist, and foster the necessary research and experiments to develop methods for the slaughter of livestock which are both humane and practical.

But the Poage bill goes further than this to enter—with all those good intentions which pave so many roads to

folly—the realms of unreality and even, if I may say, of that bureaucratic tyranny which was never a substitute for sane legislation, but merely a convenient way for shelving the responsibility for constructive thought in favor of satisfying an ill-informed emotional clamor.

For the bill would require the Secretary, at an early date and continuously thereafter, to give the official sanction of his office to certain methods which he would approve and designate. This would have two, and to my mind, quite disastrous effects, as well as being a denial of the democratic and free enterprise system which is the very sinew of this country's strength and progress.

First it would completely overrule, without appeal, the local, State, and national humane organizations and livestock groups, which might differ, with excellent cause and reason, from the Secretary of Agriculture's fiat. Further I ask, is there now unanimity of opinion between all humane societies on how is the most humane method to dispose of unwanted and unloved kittens and puppies.

Second, it would deny all packers and wholesalers of meat the privilege of selling to any agency of the Federal Government, unless the vendors were completely prepared to employ the Secretary's chosen methods throughout their entire organizations.

What would be the immediate result if the Poage bill was made effective this very day? Not a single United States soldier, sailor or airman, serving at home or overseas, would get another ounce of meat; nor would there be any meat in the school lunches provided with Federal aid for our children.

Why? Because there is not a single packer or wholesaler, great or small, who could meet the requirements set out in the bill—although it is estimated that fully 50 percent of the cattle now being slaughtered in this country are rendered insensible by mechanical stunning methods, already approved and in fact installed on the recommendation of the Nation's leading humane societies and the American Meat Institute. For the bill requires that each and every animal slaughtered must first be stunned by a single blow.

This, Mr. Chairman, with the best will in the world, and the latest methods of humane slaughtering so far devised, is impossible to guarantee.

And I would like to point out here that these latest methods of humane slaughtering exist for the most part only on the premises of the larger packers. It still remains for the large number of small packers to adopt the new methods. Considerable costs are involved which a small business might at first find difficult to meet, but there is every indication that the small packers are following suit as quickly as they can and are more likely to be deterred than encouraged by legislation.

We are talking about the humane slaughter of all meat animals. However, the law, as the bill stands, would apply to only about 500 of the more than 3,000 livestock slaughterers in this country. It could apply to none of the poul-

try slaughterers, since the sole methods of enforcement is through denial of opportunity to sell meat from federally inspected packing plants to the Federal Government.

Even assuming that the law's one-blow requirement could be met, it would almost certainly be met by the big packers first and consider what a restriction this would impose upon competitive bidding for Federal contracts. It requires little or no imagination to forecast at once not only a serious falling off of supplies, but as a result of that scarcity, a marked increase in price to the Federal Government—which is already having a hard enough time finding money for defense. Again, the Department of Agriculture itself would be seriously embarrassed to stabilize the livestock market purchasing of surplus meats. This program, as you know, must be conducted on short notice and during very brief periods when prices to producers are seriously depressed and livestock numbers especially high. It is a delicate business at the best of times. It would become doubly delicate if livestock prices were to be further artificially depressed by a slowdown in slaughtering.

The point has been made that this is really a cheap law because, as a result of its method of enforcement, the only cost to the Federal Government would be for research and experiment in humane slaughtering methods, for evaluation and determination of methods, and for identification of carcasses from plants that use designated methods. All this has been set at a mere \$200,000 which would include the payroll for about 20 people.

But nowhere do I find a single mention of what is likely to be the biggest cost of all: the cost to Federal purchasing agencies to assure themselves that the law has been complied with and to take action in the event of noncompliance. And of course, no one can estimate the countless millions that will be lost both to the Federal Government and to the meat industry and our hard pressed farmers by the inevitable confusion which I have outlined, and from which I see no possible way of escape.

Now, Mr. Chairman, that I have—as I trust—given cause for second thoughts about what I sincerely believe is a well meant but dangerous bill, I would seek your indulgence to examine more closely the rights and wrongs of humane slaughtering. There are a good many rights and a good many wrongs, and most of the wrongs are in the emotional approach to a problem, which if the Nation is to be fed meat, must be tackled from knowledge and not from emotionalism.

I have been impressed, deeply impressed, by the efforts made by the Department of Agriculture, to inform all those interested in humane slaughter of the difficulties to be overcome, and I am convinced all concerned with the handling of animals should study very carefully the plan for accomplishing its objective which the Department of Agriculture, the American meat industry and the American Humane Association has many times presented. We must not lose

sight of the fact that the Department and these agencies, in the democratic process, have not only defined the problem but also sought diligently for a solution. That they have not yet succeeded in finding one that can immediately be put into operation in every slaughterhouse in the land is not for lack of trying. I have, as you know, Mr. Chairman, myself proposed alternative legislation which has complete support of the Department of Agriculture, and furthermore—as I am sure I have little need to remind you—that Department is being administered by a gentleman whose politics are very different from my own. I consider this a certain measure of its merit. My bill, H. R. 5820, provides for further study of humane slaughter under the guidance of the Department and also provides for a time limit for reporting to Congress and assuming responsibility for those humane methods of slaughter which it is prepared to designate and support against the inevitable conflict of interest that must come on judicial review.

My bill, I maintain, is as far as this House may honestly go in this matter at this time. It has the considered support of the American Farm Bureau Federation, the American National Cattle-men's Association, the National Wool Growers' Association, and many other State and national farm organizations. We are concerned with animals—and rightly so. But our primary concern, Mr. Chairman, is the well being of the men, women, and children of this Nation.

The CHAIRMAN. The time of the gentleman from South Carolina has expired.

(By unanimous consent, Mr. DORN of South Carolina was allowed to proceed for 2 additional minutes.)

Mr. JOHANSEN. Mr. Chairman, will the gentleman yield?

Mr. DORN of South Carolina. I will be delighted to yield to the gentleman from Michigan.

Mr. JOHANSEN. I wonder if the gentleman can tell me the present, prevalent method of slaughtering hogs.

Mr. DORN of South Carolina. I will refer that question to the distinguished gentleman from Texas [Mr. POAGE]. He mentioned it a moment ago.

Mr. POAGE. The gentleman is asking what the present method of slaughtering hogs is?

Mr. JOHANSEN. Yes.

Mr. POAGE. The present method is to use the wheel, by which a live animal is shackled to a steel chain, a revolving chain about 12 or 15 feet high. He is pulled up there, often breaking a leg, pulling the bone out of the socket.

Mr. JOHANSEN. That is not the question.

Mr. POAGE. I would like to give the gentleman the whole of the method, if he wants the method.

Mr. JOHANSEN. May I ask the further question, if this bill is enacted into law what will become the compulsory method of slaughtering?

Mr. POAGE. The Secretary of Agriculture will be permitted to require any humane method of slaughtering.

Mr. JOHANSEN. But specifically, when and how will the slaughterers know the proper method?

Mr. POAGE. They will know twofold: First, the bill itself sets out two methods which are hereby defined to be humane. Those are the two that are rewritten by the amendments we just adopted. That is the instantaneous death, or it is the ritualistic slaughtering method. Or he will know by the Secretary of Agriculture's permitting some other method. That is exactly what section 5 provides. We know we do not have all knowledge today, and as we learn more about these things we may very well find that an electric method is a practical and a humane method; and the Secretary can so promulgate.

Mrs. GRIFFITHS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I oppose the gentleman's amendment and support the bill as written by the committee.

WHY COMPULSORY HUMANE SLAUGHTER LEGISLATION IS NEEDED

Over 30 years ago there was a strong movement throughout the civilized nations of the world for the institution of humane methods of slaughter. As a result of this movement the Netherlands, Norway, Scotland, Ireland, England, and parts of France, Germany, and Austria and other foreign nations enacted compulsory humane-slaughter legislation. In the United States the meatpacking industry agreed to voluntarily institute humane methods of slaughter. In 1929 the American Meat Institute, the trade, research, and educational association of the meatpacking industry set up a special committee to develop improved methods of slaughter which would first, be considered more humane than present practice; second, be practical and economical in regular plan operations.

The efforts of the industry as a whole throughout the years indicate little or no real effort to solve the problems of developing improved methods of humane slaughter. Only in isolated plants has real progress or substantial results been achieved.

It appears obvious that the meatpacking industry has not chosen to proceed aggressively and conscientiously to voluntarily institute humane methods of slaughter and having had over 25 years in which to do so I believe one can assume that they never will institute such methods voluntarily.

Legislation in this area is certainly long overdue. Daily, we attempt to lead nations in matters of foreign affairs, often emphasizing and stressing the fact that we are a nation guided by humane principles. Such reasoning must appear hollow to people who long ago recognized the need for compulsory humane-slaughter legislation and did something about it.

ECONOMIC FACTORS

First. Reduction in accident rate: Besides the humaneness of the thing, a compelling reason for modernizing slaughtering methods is the fact that accidents would be drastically reduced. The various humane methods—carbon

dioxide or other gas, the captive bolt pistol and others would materially reduce the hazards present in our plants.

The latest figures of the Department of Labor show that accidents occur at almost double the rate in slaughterhouses as for all industrial activity combine. The average accident rate for all manufacturing in 1955 was 12.1 per million man-hours worked. For slaughterhouses the rate was 18.9 per million man-hours worked.

Preliminary figures from the Department for 1956 show a significant increase in the accident rate in slaughterhouses. For 1956 the accident rate jumped to 19.1—first 9 months—per million hours while the average for manufacturing was 12.1—first 9 months.

Here is a table setting forth these statistics for quick reference:

Accident rates per million man-hours

Year	General manufacturing	Slaughterhouses (includes slaughtering and dressing only, not processing)
1953.....	13.4	20.0
1954.....	11.9	19.4
1955.....	12.1	18.9
1956 ¹	12.1	19.1

¹ Estimates by Department of Labor for 1st 9 months of 1956.

These safety figures should not be construed as an adverse reflection on the industry or labor unions involved. Both labor and management are credited with making a continuous strong effort to reduce accidents but it should be emphasized that present methods of slaughter are hazardous and I submit the introduction of humane methods—whereby immobile, unconscious animals are substituted for kicking, screaming animals—would materially contribute to a reduction in packinghouse accidents. Lost manhours, injury, and medical expenses are of benefit to none. Humane slaughtering methods can reduce this unnecessary economic loss.

Second. Reduction in bruised and damaged meat: Apart from the compelling considerations to accord humane treatment to the animals involved, the use of humane techniques in slaughtering could have important and beneficial economic consequences for the meatpacking industry. Perhaps the most important would be the reduction in bruised and damaged meat. It is presently estimated that as much as \$50 million worth of meat is rendered unsalable annually because of damage coincident with the slaughtering process. This loss could be reduced substantially if humane methods were employed. An unconscious animal is easy to work with, presents no problem in the subsequent killing process, and thus the prospect of loss in dressing is reduced to an important degree. Secondly, it should be noted that meatpacking companies would be entitled to the generous depreciation rate of the Internal Revenue Code in charging off the cost of new installations necessary to accomplish humane slaughtering.

Under the 1954 Revenue Act this depreciation can be accomplished at twice the rate previously allowed.

Enactment of this legislation requiring new installations would not place the packing industry in any less favorable position than other industries which are subject to legislation and regulation. All public carriers, for example, are obliged to maintain safety devices called for in law. These costs are a part of doing business.

The same circumstances would obtain for the packing industry under the proposed legislation. Furthermore the legislation gives the industry a voice in the final determination of the new methods to be used. There would be no arbitrary decision involved or enforced.

HUMANE SLAUGHTERING METHODS AND COSTS

One of the most frequently voiced objections to this legislation is the statement that advocates of humane methods do not agree on a specific technique to be used. This is certainly not a valid argument. The legislation would establish in law the fact that a humane system of slaughtering shall be practiced in those humane slaughtering plants whose products move in interstate commerce. The legislation reserves to the industry and the Secretary of Agriculture the right to determine the best humane method to be employed. Different animals present different slaughtering problems, and it is proper that the law allow flexibility to meet every need.

While it is difficult to estimate the total cost of converting the packing industry to humane methods, some useful data is available.

The captive bolt pistol and the new Remington stunning instrument cost less than \$200. The electric stunning equipment is relatively inexpensive.

But perhaps the most significant advance in humane slaughtering in this country was the perfection of an immobilizing unit for hogs which is now in operation at the Austin (Minn.) plant of the George A. Hormel Co. This method using carbon monoxide gas to render the hog unconscious before sticking was pioneered by Hormel engineers and has been in successful operation 3 years on a commercial scale.

Mr. L. W. Murphy of the Hormel Co. service division spoke before the American Meat Institute in 1952 and pointed out that the above method has the complete approval of the Department of Agriculture and he made these other significant observations:

We are sure the method can be applied to other packinghouse livestock. * * * the hog was presented to the sticker so that he could operate at arm's length, accurately, safely, unhurried, and with cleanliness to himself.

Mr. Murphy pointed out with emphasis that the Hormel Company has effected substantial savings in operating costs and has brought about improved working conditions. Mr. Murphy concludes:

They alone (these savings) more than compensate us the cost of our years of research.

Incidentally, it might be noted that this company has reaped immeasurable

benefits in good will because of this forward step.

This installation is concrete proof that humane methods can be combined successfully with practical business considerations. Several other smaller packing concerns have also adopted humane methods in recent years. These installations would seem to demolish the contention that it cannot be done.

The idea of protecting our animals from unnecessary pain and suffering is certainly not new and unique. It is, indeed, interesting to note that man at one time sought and received statutory protection for his animals before the same protection was given to human beings. In 1866 the first anticruelty legislation was passed in the United States. This legislation made cruelty to animals—such as the man beating his horse on the street—punishable by fine and imprisonment. At this time there were no statutory laws to prevent cruelty to children. Parents and guardians in the United States had the legal right, under the common law, to treat their children as they saw fit. The only deterrent to vicious and cruel treatment of children was a moral obligation not to do so.

The Society for the Prevention of Cruelty to Animals was constantly besieged with cases of cruel treatment to children but the laws at the time provided no remedy for such actions. Then one day the case of Mary Ellen was brought to the attention of Henry Bergh, a leader in the anticruelty movement. This little girl was daily the victim of viciously cruel treatment by her guardians. They kept her chained to a bedpost, dressed only in a thin and dirty chemise, unchained her only to do housework, and punished her regularly with a big leather whip and with fierce prods of scissors. Mr. Bergh could stand it no longer.

He went to the State legislature and got the 1866 act—an act better to prevent cruelty to animals, amended—so that in 1874 it prohibited acts of cruelty to "every living creature"—and in November of 1874 the courts declared this to include children and thereby the Mary Ellens were given statutory protection against cruel and inhumane treatment. Soon specific legislation to prevent cruelty to children was enacted, and a society to prevent cruelty to children established.

In closing let me say that progress in any field has not come easily or willingly on the part of those persons, groups, or business interests affected. But when it can be demonstrated—as indeed the weight of evidence does in humane slaughtering—that a beneficial result will be obtained for all concerned, we cannot, in good conscience, delay this legislation any longer.

It is my earnest hope that humane slaughter legislation will be acted upon favorably during this session of Congress. I am certain that you will find an overwhelming majority of our people in agreement.

(Mrs. GRIFFITHS asked and was given permission to revise and extend her remarks.)

Mr. HARRISON of Nebraska. Mr. Chairman, I move to strike out the last

word and rise in support of the amendment.

Mr. Chairman, I would like to ask the gentleman from South Carolina if the number of his bill is not H. R. 5820?

Mr. DORN of South Carolina. Yes, the number is H. R. 5820; and if the gentleman will yield for just a moment, I want to point out I neglected to say since most of my time was taken up that a similar bill passed the other body unanimously in 1956 on July 23. If we had gone ahead and acted on that bill, it would have been in the interest of the humane societies of this country and something could be done about it and some research would have uncovered the most humane way to slaughter livestock in this country.

Mr. HARRISON of Nebraska. I thank the gentleman. I want to associate myself with the gentleman from South Carolina [Mr. DORN] who is proposing the bill, H. R. 5820, on the basis that the Commission set up by that bill will come back to the House of Representatives and bring its conclusions to the House of Representatives rather than bring the conclusion of the Commission, as provided in the Poage bill, to the Secretary of Agriculture. A great deal has been said about humane methods of slaughtering. I think each and every one of us here today is in favor of some method of humane slaughtering of our animals. I do not think there has been enough research as of this time to determine what is humane and what is not humane. It has been said that the so-called bolt method of slaughtering or stunning of beef animals is humane and that it is being used. I do not know whether it is or it is not humane. I do not think there has been enough research on this particular method of stunning the animal to determine whether it is or it is not. I think that the one-shot method so to speak is supposed to be humane. What happens to the animal when he is not insensitized by the one shot? Is he to be taken to one side and not slaughtered at all or should he be shot again? I think that is one of the things that we must determine here. What is a humane method of slaughtering hogs? I think it was very well described here by the gentleman from Texas [Mr. POAGE] as to the method that is used today, the conventional method. However, there are other methods and one of them which is used in my particular district by the Hormel Packing Co. is that of the carbon dioxide gas which immobilizes the pig for some 40 or 50 seconds, and when the pig would have gained consciousness, he has been bled to death.

I think anyone of us who would watch that particular method would say that it is humane where the hogs are driven into a particular pen and are put on an endless belt and they go into a gas vat and when they come out, to all intents and purposes and from anything that you can determine by looking at the hog, it seems as if it is humane. I do not think there is anyone here who knows whether or not that pig goes through any agony at all when it is in the gas chamber. I think those things need to be determined. I think they have not been determined yet. I think

this electrical method that has been talked about is another method that we do not know enough about with respect to the insensitizing of any of the animals.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. HARRISON of Nebraska. I yield to my distinguished chairman.

Mr. COOLEY. I want to ask the gentleman if he would not tell the House something about the experience of the Hormel Co., and if Hormel did not tell the gentleman in my presence that it was an economical operation and that it was humane and just as humane as it could be made.

Mr. HARRISON of Nebraska. I think the chairman is exactly correct. They said it was more economical and from their standpoint, it was humane. But I am not so sure that everyone would agree that the method is humane until some research is completed to determine the feeling of the hog within the gas chamber.

There has not been enough research on this particular aspect in order to determine whether it is or is not humane. So I want to associate myself with the gentleman from South Carolina [Mr. DORN], that we should set up this particular commission to study this matter for 2 or 3 years and then come back and make recommendations with respect to what is or is not humane.

The CHAIRMAN. The time of the gentleman from Nebraska has expired.

(By unanimous consent, Mr. HARRISON of Nebraska was granted 2 additional minutes.)

Mr. DORN of South Carolina. Will the gentleman yield?

Mr. HARRISON of Nebraska. I yield.

Mr. DORN of South Carolina. I would like to state to my friend that he is making a great contribution. This matter should be thoroughly studied before we pass compulsory legislation.

The Department of Agriculture is bitterly opposed to this type of bill. No one can say what effect the methods outlined in this bill will have upon Brahma cattle, which is a growing industry all over Florida and the South. Everyone knows they are twice as tough as the ordinary cattle in this country, and an entirely new method might have to be used or those farmers would be forced to take lower prices for that type of cattle.

Mr. HARRISON of Nebraska. I thank the gentleman. In a great many instances it would be harmful to a great many of the slaughtering houses in the United States. Not the Big Five or the Big Six, because they can put in these particular methods, unless they are using some of these methods that have been described, they cannot sell to the Government. That would work a hardship on a great many slaughtering houses at this time who were not able because of finances to meet the standards and would create a monopoly from the standpoint of the Big Six.

Mr. JOHANSEN. Mr. Chairman, will the gentleman yield?

Mr. HARRISON of Nebraska. I yield.

Mr. JOHANSEN. Is it not possible under this bill that the Department could issue an order requiring a completely dif-

ferent method, at great expense to the packers?

Mr. HARRISON of Nebraska. They might adopt a method that might not be acceptable to the House of Representatives at all.

Mr. JOHANSEN. But under the original bill—under the Poage bill?

Mr. HARRISON of Nebraska. That is my understanding.

The CHAIRMAN. The time of the gentleman from Nebraska has again expired.

Mr. DAWSON of Utah. Mr. Chairman, I rise in opposition to the amendment. I shall not take the 5 minutes, but I think we should understand what we are doing.

The purpose of this amendment is to refer the matter back to the Department of Agriculture for further study. That is all it provides. Of course, they already have the power to study. They sent Mr. Miller over to Europe and he made an investigation, and he came back and they made a report, and they have been studying for years and years. If you will study the report of the Department of Agriculture, you will find they are not very bitterly opposed to this bill. They state they are in accord with its objectives, but they feel they should be given more time to study the matter. They have had year after year to study it. I feel the time has arrived for action. I hope in voting on this amendment we will keep in mind that we are either voting for the bill or against it, because if this amendment is agreed to it simply means we are giving a green light to certain packers to continue their inhumane practice in the hopes that delay will occur and nothing will be done. So I hope this amendment will be rejected.

Mr. POAGE. Mr. Chairman, will the gentleman yield?

Mr. DAWSON of Utah. I yield.

Mr. POAGE. Is it not a fact that the remarks of the author of the amendment clearly showed that it was intended to completely kill the bill? He did not have the amendment read. He simply said, "Here is an amendment," and he made a speech in which he said that he was opposed to the bill. The effect of all that would lead conclusively to the view that if you adopt this amendment you will kill the bill. He said, "We are opposed to the bill"; so, vote for this amendment and kill the bill.

Mr. DAWSON of Utah. That is the effect of it.

Mr. HENDERSON. Mr. Chairman, will the gentleman yield?

Mr. DAWSON of Utah. I yield.

Mr. HENDERSON. I would like to ask the gentleman a question or two about the bill originally introduced. Do I understand that this bill would affect only those packers who intend to sell to the Government?

Mr. DAWSON of Utah. That is my understanding.

Mr. HENDERSON. Does it affect packers who sell in interstate commerce?

Mr. DAWSON of Utah. No; it affects only those packers who are selling meat to the Government.

Mr. HENDERSON. Does it include the school-lunch program as has been mentioned?

Mr. DAWSON of Utah. It could; yes.

Mr. HENDERSON. I would also like to ask why, on page 2, there is reference to price supports? What do price supports have to do with this bill?

Mr. DAWSON of Utah. I think perhaps the chairman of the committee could give a better explanation than I, but it is my understanding that the question of price supports could come in because of Government buying of meat surpluses.

Mr. COOLEY. It applies to the school-lunch program.

Mr. HENDERSON. Then this bill would include those who are slaughtering for the school-lunch program.

Mr. DAWSON of Utah. That would come under Government procurement.

Mr. HIESTAND. Mr. Chairman, I rise in opposition to the amendment, but I will not take the full 5 minutes to which I am entitled.

Mr. Chairman, I am very reluctant to oppose my colleague from South Carolina, but it becomes obvious that the effect of the amendment is to kill the bill. We have had this matter before us for several years. I introduced a bill about 4 years ago to this effect.

The Nation, Mr. Chairman, wants us to legislate for humane slaughtering. There is more to it than just the feeling of the animals; in my judgment the biggest factor is human reaction, because human beings are shocked by this continuation year after year of inhumane slaughtering that amounts to cruelty; it is shocking to a lot of people in this country who have been writing to Members of Congress. They dislike to have their children know that we are continuing something of this kind 20 years after European nations have abolished it as cruel and inhumane.

Mr. Chairman, I feel that this is a bill we can all get together on. It is a compromise bill but it is the best that can be had at this time, and it is subject to amendment in future years if new inventions come along, making amendment desirable.

I emphatically oppose the amendment, Mr. Chairman.

Mr. DORN of South Carolina. Mr. Chairman, I ask unanimous consent that the Clerk read the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

(The Clerk read the amendment.)

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Carolina.

The question was taken; and on a division (demanded by Mr. DORN of South Carolina) there were—ayes 73, noes 122.

So the amendment was rejected.

Mr. POAGE. Mr. Chairman, I ask unanimous consent that the balance of the bill be considered as read and open for amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

The balance of the bill follows:

SEC. 3. The public policy declared herein shall be taken into consideration by all agencies of the Federal Government in connection with all procurement and price support programs and operations and no agency or instrumentality of the United States shall contract for or procure any livestock products produced or processed by any slaughterer or processor which in any of its plants or in any plants of any slaughterer or processor with which it is affiliated slaughters or handles in connection with slaughter livestock by any methods other than methods designated and approved by the Secretary of Agriculture (hereinafter referred to as the Secretary) pursuant to section 4 hereof: *Provided*, That during the period of any national emergency declared by the President or the Congress, the limitations on procurement required by this section may be modified by the President to the extent determined by him to be necessary to meet essential procurement needs during such emergency. For the purposes of this section a slaughterer or processor shall be deemed to be affiliated with another slaughterer or processor if it controls, is controlled by, or is under common control with, such other slaughterer or processor. Each supplier from which any livestock products are procured by any agency of the Federal Government shall be required by such agency to make such statement of eligibility under this section to supply such livestock products as, if false, will subject the maker thereof to prosecution, title 18, United States Code, section 287.

SEC. 4. In furtherance of the policy expressed herein the Secretary is authorized and directed—

(a) to conduct, assist, and foster research, investigation, and experimentation to develop and determine methods of slaughter and the handling of livestock in connection with slaughter which are practicable with reference to the speed and scope of slaughtering operations and humane with reference to other existing methods and then current scientific knowledge;

(b) on or before June 30, 1958, and at such times thereafter as he deems advisable, to designate methods of slaughter and of handling in connection with slaughter which, with respect to each species of livestock, conform to the policy stated herein. If he deems it more effective, the Secretary may make any such designation by designating methods which are not in conformity with such policy. Designations by the Secretary subsequent to January 1, 1959, shall become effective for purposes of section 3 hereof 180 days after their publication in the Federal Register;

(c) to provide suitable means of identifying the carcasses of animals inspected and passed under the Meat Inspection Act (21 U. S. C. 71 and the following) that have been slaughtered in accordance with the public policy declared herein.

SEC. 5. To assist in implementing the provisions of section 4, the Secretary is authorized to establish an advisory committee. The functions of the Advisory Committee shall be to consult with the Secretary and other appropriate officials of the Department of Agriculture and to make recommendations relative to (a) the research authorized in section 4; (b) obtaining the cooperation of the public, producers, farm organizations, industry groups, humane associations, and Federal and State agencies in the furtherance of such research and the adoption of improved methods; and (c) the designations required by section 4. The Committee shall be composed of 12 members, of whom 1 shall be an officer or employee of the Department of Agriculture designated by the Secretary

(who shall serve as Chairman); 2 shall be representatives of national organizations of slaughters; 1 shall be a representative of the trade-union movement engaged in packing-house work; 1 shall be a representative of the general public; 2 shall be representatives of livestock growers; 1 shall be a representative of the poultry industry; 2 shall be representatives of national organizations of the humane movement; 1 shall be a representative of a national professional veterinary organization; and 1 shall be a person familiar with the requirements of religious faiths with respect to slaughter. The Department of Agriculture shall assist the Committee with such research personnel and facilities as the Department can make available. Committee members other than the Chairman shall not be deemed to be employees of the United States and are not entitled to compensation but the Secretary is authorized to allow their travel expenses and subsistence expenses in connection with their attendance at regular or special meetings of the Committee. The Committee shall meet at least once each year and at the call of the Secretary and shall from time to time submit to the Secretary such reports and recommendations with respect to new or improved methods as it believes should be taken into consideration by him in making the designations required by section 4 and the Secretary shall make all such reports available to the public.

With the following committee amendments:

Page 2, line 18, strike out "on and after July 1, 1959" and insert "After December 31, 1959."

Page 3, line 11, strike out "on and after July 1, 1959" and insert "after December 31, 1959."

Page 4, line 11, strike out "January" and insert "July."

The committee amendments were agreed to.

Mr. HARVEY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am reluctant to rise in opposition to this bill. It is pretty obvious to me that it is going to pass. Certainly I would have to say that the motives back of it are commendable. I want to compliment the committee, too, although I voted against it in committee and I spoke against it in committee. The committee has made a very distinct and commendable effort to make sure that the bill be as fair and equitable as possible.

There are two main classes of livestock involved in this bill, hogs and cattle. So far as cattle are concerned, I think the controversy has been pretty well ironed out. There are 2 methods of slaughter approved here, 1 for kosher meat and the other for other than kosher meat, as far as beef is concerned.

I think the argument that has been most vocal has had to do with the slaughter of hogs. I have had a good deal of experience in this field. I think I know a little about it. I know, as I have heard from various witnesses, that the present method of slaughtering hogs does offend the sensibility of many people, and it was primarily that one fact alone that had to do with bringing this bill before us today. And, it has, of course, occasioned a great deal of thought on my part. But, let me say to you in all fairness that regardless of whether your sensibilities are offended by

the present method, the commonest method of slaughtering hogs, it is in my judgment the most humane method of slaughtering hogs.

In order to confirm my opinion on this I had the opportunity to discuss it with a very eminent research specialist in this field. He had no idea when I questioned him as to what I was driving at or why I was questioning him, but he said without question that in his opinion the period of suffering endured by an animal, a hog, for example, that was drowned in carbon dioxide or was attempted to be rendered unconscious by electrolytic methods was as much as one where the throat of the animal was slit, as is the present method; unconsciousness would come, in his opinion, quicker and with less suffering.

I would have no objection, of course, in certain instances, where packing plants are set up to do so, to the method of using carbon dioxide if they chose to do so. But, I do feel that in many instances it will impose an undue burden and an unnecessary burden on many small packing plants scattered throughout the country.

Mr. Chairman, I believe much good already has come from the presentation of this bill, and I am certainly heartily in favor of its objective. But, it is a sad fact, I think, for those who care to study it, that the proposed improvement of humane slaughter so far as it applies to hogs is just not an actual fact.

Mr. GROSS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Gross: On page 4, strike out lines 19 through 25; on page 5, all of line 1 through 25; and on page 6, all of lines 1 through line 7.

(Mr. GROSS asked and was given permission to revise and extend his remarks.)

Mr. GROSS. Mr. Chairman, this is a peculiar bill for it is supposed to provide for the humane slaughter of livestock. If present methods of slaughtering livestock are inhumane, then this bill legalizes the inhumane slaughter of livestock for a special provision has been adopted to that effect. Thus you are for the first time legalizing inhumane slaughter of livestock if you vote for this bill.

My amendment would strike out section 5 of the bill which provides for a commission. This Government today is overrun with boards, bureaus, commissions, and advisory committees. Apparently it has become fashionable, every time someone brings in a bill to tie onto it an advisory committee or an advisory commission. What will this 12-member advisory commission or committee do? It will recommend. It has no power to do anything but recommend.

The gentleman from New York [Mr. KEARNEY], earlier this afternoon, raised a pertinent question: What is this bill going to cost? There was no answer to his question and there is nothing in the bill to tell. The committee can go on from now until doomsday, there is no termination date. It makes recommendations to the Secretary of Agriculture. In some places in the bill we are led to believe that it will become effective on

December 31, 1959, yet on page 4 of the bill, we find the following:

On or before June 30, 1958, and at such times thereafter as he deems advisable.

And so forth, and so on, the Secretary of Agriculture is authorized and directed to do thus and so. When do the provisions of this bill become effective? Is it June 30, 1958, or December 31, 1959? Which is it?

It is hardly possible the committee can be established and organized to provide recommendations to the Secretary of Agriculture in the normal course of the passage of legislation in both bodies before June 30, 1958.

I am opposed to this commission as being just another expense upon the taxpayers of this country. It is time we stopped setting up advisory committees and advisory boards every time a bill is brought to the floor of the House.

Mr. HARVEY. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman from Indiana.

Mr. HARVEY. I think it should be said that in this bill we are actually legalizing the slaughtering of cattle in the same way that we are attempting to make illegal that method so far as hogs are concerned.

Mr. GROSS. That is correct.

Mr. DAWSON of Utah. Mr. Chairman, will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. DAWSON of Utah. Would the gentleman inform the Committee whether or not the members of this commission are to receive any compensation from the Government.

Mr. GROSS. They do not receive compensation as such but suppose they appoint several members from distant parts of the country and the meetings are held in Washington. That is going to cost the taxpayers considerable money if the committee or commission runs for 10 or 20 years.

I urge adoption of my amendment. Let us stop this empire building in the Federal Government.

Mr. POAGE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I want to say that in the committee I felt that we did not need a commission. The committee decided that we did need a commission in order to share some of the responsibility with the Secretary. There has been a good deal of concern expressed here about the fact that the Secretary did not want to assume these obligations; and he does not want to do so. He said he did not. So we gave him this advisory commission. This commission will advise whether in their opinion certain procedures are humane or whether certain procedures are not humane. Then the Secretary may follow that advice or he may ignore it, as he sees fit and will then proceed to promulgate regulations.

The bill does say that he shall promulgate regulations a year before they go into effect. This is to put the packer on notice. I feel that the gentleman must misunderstand.

The gentleman objected strenuously to the fact that we are requiring the Secretary to do something within about

6 months. We require him to give notice so that the industry may know what they are going to have to live under.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield.

Mr. GROSS. I do not object to it. But I am saying that speaker after speaker has said that this does not go into effect until December 31, 1959, when, as a matter of fact, it goes into effect June 30 of this year.

Mr. POAGE. Mr. Chairman, I think the gentleman is mistaken in that; the requirement of humane practices does not go into effect in June. It says the Secretary must at least tell the industry what they may expect some time in advance. That is all we are trying to do here.

We want to see that the Secretary will give notice some time in advance. It seems to me that since the commission is not allowed to draw a salary, as the gentleman has intimated it would, and since the commission cannot be the expensive agency that it was suggested it might become, and since the commission might give some little help to the Secretary of Agriculture, who said he did not want to have this responsibility thrust upon his shoulders, even though you may feel as I did, that we probably might just as well act without any commission, it seems to me that we might just as well keep this provision of the bill, pass it, get a bill, and send it to the Senate and stop this argument.

Mr. THOMSON of Wyoming. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, this is called a humane slaughter bill. We know that we do not slaughter humans, and until the sixteenth century that is what the word humane meant. But in the quest for food we slaughter livestock to obtain that food. A more recent meaning of humane as to animals is to treat them with kindness and compassion. Humane slaughter then means killing them with kindness and compassion. I am for use of slaughter methods that would involve the most kindness and compassion consonant with supplying our need for food, as I am sure are all other Members of this body. Certain parts of this bill though concern me.

In section 4, subparagraph (b), it is stated, in putting the burden of determining humane methods on the Secretary. I am surprised to see this recognition of his good judgment on the part of certain members of the committee. I quote from the bill:

On or before June 30, 1958, and at such times thereafter as he deems advisable, to designate methods of slaughter and of handling in connection with slaughter which, with respect to each species of livestock, conform to the policy stated herein.

Would the gentleman tell me what the policy stated herein is, that is to what that language refers?

Mr. POAGE. It is stated in section 2. It says now that certain procedures are found by the Congress to be humane. We say that those stated in the Anfuso amendment, which we adopted, are humane. Any packinghouse may rely on that. If the owner of a packinghouse

complies with these methods, he builds his plant in accordance therewith. He is not subject to variations of opinion on the part of the Secretary of Agriculture, because he knows that the Congress has stated that these things are humane, and they remain so regardless of changes in the personnel in the Department of Agriculture or changes of opinion there. The Secretary, however, may prescribe other methods that he may say are humane, but he cannot deny the things Congress has said are humane. So we do give to the packing industry the stability that has been suggested does not exist. At the same time we give to the Secretary the right and we give to this Commission the duty, to try to determine, as scientific knowledge advances, just what other additional methods are humane, that we might not have simply a static situation where we could not take advantage of the new developments of science but instead, as new developments appeared, we could take advantage of them, at the same time protecting the packinghouse investment in that type of method which is declared by the Congress to be humane.

Mr. THOMSON of Wyoming. I thank the gentleman.

Mr. RHODES of Pennsylvania. Mr. Chairman, I rise in support of H. R. 8308, the humane slaughtering bill. The cruel and inhumane practices being used in the slaughtering industry are well known and have been adequately documented. New devices are readily available to permit humane slaughter of livestock. There is no reason why this should not be done, since the present slaughtering methods are so offensive to the sensibilities of millions of people.

Mr. ENGLE. Mr. Chairman, I just want to make a few remarks in favor of the bill now before us. I strongly support this legislation, which in my opinion is long overdue.

I believe a national policy should be established to encourage methods for the humane slaughtering of livestock, and this bill certainly serves that purpose. It is not a hodge-podge piece of legislation. It is a culmination of nearly 2 years of study and thorough hearings by the respective committees of the House and Senate.

I feel confident that in accordance with the intentions of the bill that satisfactory and practicable methods can be established throughout the Nation for the humane slaughter of livestock.

I hope my colleagues will join with me in supporting the legislation.

Mr. ULLMAN. Mr. Chairman, I urge that H. R. 8308 be enacted. The evil which this bill is designed to abolish is one well deserving of eradication. At the present time painful and inhumane methods of slaughter are widely used throughout this country. We who are charged with setting up minimal standards in this area have allowed primitive methods of commercial slaughter to continue with a resulting painful and slow death for countless animals.

Mr. Chairman, such a situation has not continued because humane methods are unavailable or not perfected. Certainly alternative methods do exist and the adoption of them would involve only

a small additional cost. I think their adoption is long overdue.

Mr. Chairman, I am fully in sympathy with the objectives of this legislation and I urge its prompt passage.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. GROSS].

The question was taken; and on a division (demanded by Mr. GROSS), there were—ayes 44, noes 100.

So the amendment was rejected.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose, and the Speaker having resumed the chair, Mr. HERLONG, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 8308) to establish the use of humane methods of slaughter of livestock as a policy of the United States, and for other purposes, pursuant to House Resolution 376, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

Mr. SMITH of Mississippi. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] Two hundred fifty Members are present, a quorum.

Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them in gross.

The question is on the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. POAGE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

CORRECTION OF BILL

Mr. POAGE. Mr. Speaker, I ask unanimous consent to correct line 3, page 2, by striking out the word "the."

The SPEAKER. Without objection, it is so ordered.

There was no objection.

TEMPORARY SUSPENSION OF IMPORT DUTIES ON CERTAIN COARSE WOOL

Mr. MILLS. Mr. Speaker, I move that the House resolve itself into the Com-

mittee of the Whole House on the State of the Union for the consideration of the bill (H. R. 2151) to amend certain provisions of the Tariff Act of 1930 relative to import duties on certain coarse wool.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 2151), with Mr. BOLAND in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. The gentleman from Arkansas [Mr. MILLS] is recognized for 1 hour, under the rule, and the gentleman from New York [Mr. REED] will be recognized for 1 hour.

The Chair now recognizes the gentleman from Arkansas [Mr. MILLS].

Mr. MILLS. Mr. Chairman, I yield myself 13 minutes.

Mr. Chairman, I rise to strongly urge passage of H. R. 2151 by the House of Representatives.

The purpose of this meritorious legislation is to suspend for a limited time the import duties on certain coarse wools imported under bond for use in the manufacture of rugs and carpets. At the present time paragraph 1101 (b) of the Tariff Act of 1930 provides for free entry under bond of imports of certain wools and animal hair for use in the manufacture of rugs and carpets and certain other items such as press cloth, lumberman's socks, and a few other similar products. These wools consist of so-called unimproved wools and other improved wool not finer than 40's, and camel's hair. The so-called unimproved wools are those from sheep which are native to certain regions and which have not been improved through cross-breeding with Marino or English sheep. Other wool not finer than 40's are the coarser grades obtained from cross-bred sheep.

This legislation now pending before the Committee would add to the wools which are now permitted duty-free importation for the specified uses those wools, which are finer than 40's but not finer than 46's. The bill is limited to a period of 3 years. A so-called tolerance provision is included, as has been customary in the past, so that a tolerance of not more than 10 percent of wools not finer than 48's may be allowed in each bale or package of wools imported if not finer than 46's.

Mr. Chairman, there is urgent need for this legislation. It is designed to provide our domestic carpet industry with sources of raw supplies so that it may compete on an equal basis with the increasing imports of foreign-made carpets. Traditionally, the Congress has permitted duty-free entry of carpet-grade wools. This accounts for the fact that no added protection for the carpet industry of a specific duty was given. However, the volume of these grades of wools entering international trade has been much smaller than consumption. Information brought to our Committee indicates that there has been a worldwide shortage of carpet-grade wools and, as a result, foreign manufacturers have

been utilizing wools up to grade 46's. Your Committee was advised that these finer grades of wools are not as satisfactory as the coarser grade, but they are now being used by foreign carpet manufacturers because of the shortage of coarse grades of wool. These foreign manufacturers can obtain this additional class of wools much cheaper than domestic manufacturers are able to obtain such wool because the domestic manufacturers have to pay a duty on it.

Mr. BAILEY. Mr. Chairman, will the gentleman yield?

Mr. MILLS. I yield.

Mr. BAILEY. Was there testimony given before the Ways and Means Committee, of which you happen to be chairman, to show that American-produced wool cannot be used in the manufacture of the rugs you are talking about?

Mr. MILLS. Yes. I will come to that later.

Mr. BAILEY. And it was not refuted?

Mr. MILLS. No, sir. If the gentleman will permit me, I will come to that later, and then I will yield.

The foreign carpetmakers have a decided advantage over our United States carpetmakers. Convincing evidence was presented to the Committee on Ways and Means that the domestic carpet industry is faced with a squeeze which has placed it in a very adverse position competitively because, on the one hand, it cannot obtain economically the raw wool which it needs in order to compete and, on the other hand, it is faced with mounting competition from imported foreign carpets.

Mr. Chairman, this legislation has been before the Congress now for several years. A bill was introduced in the 84th Congress, reported by the Committee on Ways and Means, and barely failed of passage by a two-thirds vote under suspension of the rules in the closing days of the second session of that Congress. The primary objection which was urged on the floor of the House at that time was that no public hearings had been held on the bill and that there might in some way be an adverse effect upon domestic wool producers and the domestic felt industry. In the fall of 1956, hearings were held on the legislation and all interested parties were given adequate opportunity to thoroughly and completely present their views. The Committee on Ways and Means requested and received up-to-date departmental reports on the new bill when it was introduced in the early days of the present Congress. It gave this bill most thorough and painstaking consideration in executive session, receiving views from officials of all the interested departments and agencies. The bill was reported favorably from our committee by an overwhelming majority.

This bill, in the view of the Committee on Ways and Means, will help our domestic rug industry to compete effectively and will not result in any adverse effect upon our domestic wool producers or our domestic felt industry. Information brought to the attention of the committee shows that domestic production of wools suitable for carpet use is

so slight as to be practically nonexistent, and that the domestic felt industry already has added protection in the form of a compensatory duty which the carpet industry does not have.

The only Department which reported adversely on this legislation was the Department of Agriculture. In reporting on the bill in the 84th Congress, officials of the Department based their objections upon psychological grounds. They did not bring to the attention of the committee facts to show that the wools concerned by this legislation are produced in any quantity in the United States. That Department has continued to oppose the bill, although they have yet to bring tangible firm evidence to the committee to show wherein this legislation would injuriously affect domestic wool producers. Their opposition, it appears, continues to be based on psychological grounds. Officials of the Department of Agriculture, when the new bill was considered in executive session, indicated that some wool had been sold by the Commodity Credit Corporation to domestic carpet manufacturers. However, when questioned as to whom these sales were made and in precisely what quantities, no answers were forthcoming at that time from the officials. Subsequently, they did supply factual information on one sale which had been made, and it turned out that this was infinitesimal as compared to the amount of wools needed for the domestic manufacture of carpets. Information subsequently furnished the committee also indicated that the one purchase of wool of the grades indicated from the Commodity Credit Corporation proved to be unsatisfactory and that no further purchases were made.

The carpet industry is to be commended for urging this legislation. That industry did not come to the Congress and ask for an advantage; they came and asked merely to be placed on an equal footing with their foreign competitors insofar as obtaining their necessary raw supplies is concerned. They said, in effect, we can take care of ourselves if you will permit us to obtain our needed raw materials on the same basis and on the same footing as our foreign competitors obtain their raw materials. The domestic carpet industry is asking for simply equity so that they can compete in the market place and they are not here asking for a special advantage.

The Committee on Ways and Means was careful to place safeguards in this legislation. The wool which would be brought in must be under bond and cannot be used for other than the stated purposes. The Treasury Department has advised the Committee on Ways and Means that, in view of the control exercised through the bond which is required and through the departmental regulations, there is no reason to anticipate evasions of the law and deflection of this wool for other than the stated purposes. The Committee on Ways and Means has also placed a 3-year limitation on this legislation so that the Congress can again take a look at the situation after the bill has been in operation for a limited period of time. Certainly these safe-

85TH CONGRESS
2D SESSION

H. R. 8308

IN THE SENATE OF THE UNITED STATES

FEBRUARY 5, 1958

Read twice and referred to the Committee on Agriculture and Forestry

AN ACT

To establish the use of humane methods of slaughter of livestock as a policy of the United States, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Congress finds that the use of humane methods
4 in the slaughter of livestock prevents needless suffering;
5 results in safer and better working conditions for persons
6 engaged in the slaughtering industry; brings about improve-
7 ment of products and economies in slaughtering operations;
8 and produces other benefits for producers, processors, and
9 consumers which tend to expedite an orderly flow of live-
10 stock and livestock products in interstate and foreign com-
11 merce. It is therefore declared to be the policy of the

1 United States that the slaughtering of livestock and the
2 handling of livestock in connection with slaughter shall be
3 carried out only by humane methods.

4 SEC. 2. No method of slaughtering or handling in con-
5 nection with slaughtering shall be deemed to comply with
6 the public policy of the United States unless it is humane.
7 Either of the following two methods of slaughtering and
8 handling are hereby found to be humane:

9 (a) in the case of cattle, calves, horses, mules,
10 sheep, swine, and other livestock, all animals are ren-
11 dered insensible to pain by a single blow or gunshot
12 or an electrical, chemical or other means that is rapid
13 and effective, before being shackled, hoisted, thrown,
14 cast, or cut; or

15 (b) by slaughtering in accordance with the ritual
16 requirements of the Jewish faith or any other religious
17 faith that prescribes a method of slaughter whereby the
18 animal suffers loss of consciousness by anemia of the
19 brain caused by the simultaneous and instantaneous
20 severance of the carotid arteries with a sharp instrument.

21 SEC. 3. The public policy declared herein shall be taken
22 into consideration by all agencies of the Federal Government
23 in connection with all procurement and price support pro-
24 grams and operations and after December 31, 1959, no
25 agency or instrumentality of the United States shall contract

1 for or procure any livestock products produced or processed
2 by any slaughterer or processor which in any of its plants
3 or in any plants of any slaughterer or processor with which
4 it is affiliated slaughters or handles in connection with
5 slaughter livestock by any methods other than methods
6 designated and approved by the Secretary of Agriculture
7 (hereinafter referred to as the Secretary) pursuant to sec-
8 tion 4 hereof: *Provided*, That during the period of any
9 national emergency declared by the President or the Con-
10 gress, the limitations on procurement required by this section
11 may be modified by the President to the extent determined
12 by him to be necessary to meet essential procurement needs
13 during such emergency. For the purposes of this section a
14 slaughterer or processor shall be deemed to be affiliated with
15 another slaughterer or processor if it controls, is controlled
16 by, or is under common control with, such other slaughterer
17 or processor. After December 31, 1959, each supplier from
18 which any livestock products are procured by any agency
19 of the Federal Government shall be required by such agency
20 to make such statement of eligibility under this section to
21 supply such livestock products as, if false, will subject the
22 maker thereof to prosecution, title 18, United States Code,
23 section 287.

24 SEC. 4. In furtherance of the policy expressed herein
25 the Secretary is authorized and directed—

1 (a) to conduct, assist, and foster research, investi-
2 gation, and experimentation to develop and determine
3 methods of slaughter and the handling of livestock in
4 connection with slaughter which are practicable with
5 reference to the speed and scope of slaughtering opera-
6 tions and humane with reference to other existing
7 methods and then current scientific knowledge;

8 (b) on or before June 30, 1958, and at such times
9 thereafter as he deems advisable, to designate methods
10 of slaughter and of handling in connection with slaughter
11 which, with respect to each species of livestock, con-
12 form to the policy stated herein. If he deems it more
13 effective, the Secretary may make any such designation
14 by designating methods which are not in conformity with
15 such policy. Designations by the Secretary subsequent
16 to July 1, 1959, shall become effective for purposes
17 of section 3 hereof 180 days after their publication in
18 the Federal Register;

19 (c) to provide suitable means of identifying the
20 carcasses of animals inspected and passed under the
21 Meat Inspection Act (21 U. S. C. 71 and the following)
22 that have been slaughtered in accordance with the
23 public policy declared herein.

24 SEC. 5. To assist in implementing the provisions of sec-
25 tion 4, the Secretary is authorized to establish an advisory

1 committee. The functions of the Advisory Committee shall
2 be to consult with the Secretary and other appropriate
3 officials of the Department of Agriculture and to make
4 recommendations relative to (a) the research authorized
5 in section 4; (b) obtaining the cooperation of the public,
6 producers, farm organizations, industry groups, humane asso-
7 ciations, and Federal and State agencies in the furtherance
8 of such research and the adoption of improved methods;
9 and (c) the designations required by section 4. The Com-
10 mittee shall be composed of twelve members, of whom one
11 shall be an officer or employee of the Department of Agri-
12 culture designated by the Secretary (who shall serve as
13 Chairman); two shall be representatives of national organi-
14 zations of slaughterers; one shall be a representative of the
15 trade-union movement engaged in packinghouse work; one
16 shall be a representative of the general public; two shall
17 be representatives of livestock growers; one shall be a repre-
18 sentative of the poultry industry; two shall be representa-
19 tives of national organizations of the humane movement; one
20 shall be a representative of a national professional veterinary
21 organization; and one shall be a person familiar with the
22 requirements of religious faiths with respect to slaughter.
23 The Department of Agriculture shall assist the Committee
24 with such research personnel and facilities as the Depart-
25 ment can make available. Committee members other than

1 the Chairman shall not be deemed to be employees of the
2 United States and are not entitled to compensation but the
3 Secretary is authorized to allow their travel expenses and
4 subsistence expenses in connection with their attendance at
5 regular or special meetings of the Committee. The Commit-
6 tee shall meet at least once each year and at the call of the
7 Secretary and shall from time to time submit to the Secre-
8 tary such reports and recommendations with respect to new
9 or improved methods as it believes should be taken into con-
10 sideration by him in making the designations required by
11 section 4 and the Secretary shall make all such reports avail-
12 able to the public.

13 SEC. 6. Nothing in this Act shall be construed to pro-
14 hibit, abridge, or in any way hinder the religious freedom
15 of any person or group to slaughter and prepare for the
16 slaughter of livestock in conformity with the practices and
17 requirements of his religion.

Passed the House of Representatives February 4, 1958.

Attest:

RALPH R. ROBERTS,

Clerk.

85TH CONGRESS
2^D Session

H. R. 8308

AN ACT

To establish the use of humane methods of slaughter of livestock as a policy of the United States, and for other purposes.

FEBRUARY 5, 1958

Read twice and referred to the Committee on
Agriculture and Forestry

17. HUMANE SLAUGHTER. Sen. Humphrey submitted an amendment to S. 1497, the humane slaughter bill; to Agriculture and Forestry Committee. p. 1562
18. ECONOMIC SITUATION. Sen. Humphrey inserted an article, "Planned Recession Takes Heavy Toll Out of Workers," discussing views of the present economic situation. pp. 1570-1
Sens. McNamara, Neuberger, Gore, Clark, Morse, and Mansfield discussed the economic situation, and Sen. McNamara proposed an 11-point attack to implement the Employment Act of 1946, including restoration of at least 90% of parity to farmers. pp. 1576-80
19. SURPLUS PROPERTY. Both Houses received from the Department of Health, Education, and Welfare a report on personal property made available for distribution to public health and educational institutions and civil defense organizations, Oct. 1 - Dec. 31, 1957. pp. 1554, 1632
20. RESEARCH; FOREIGN AID; RECLAMATION; BUILDINGS. Sen. Javits inserted resolutions of the Red Creek Valley Grange, N. Y., urging support for S. 2306, to carry out the recommendations of the Committee on Increased Industrial Use of Agricultural Products, opposing waste in foreign aid and "bringing new acres into production by irrigation and paying out money to retire other land from production," and protesting attempts to take over the National Grange Building in Washington by G. S. A. pp. 1554-5
21. ADJOURNED until Mon., Feb. 10. p. 1600

ITEMS IN APPENDIX

22. FOREST PRODUCTS. Sen. Neuberger inserted an article, "Efficient Use of Forest Products Will Help To Make The Nation Strong," which suggests a thrifty and thorough use of forest products. p. A1121
Extension of remarks of Rep. Porter discussing a meeting held by representatives from the coastal ports of Oregon, including a Forest Service representative, proposing ways of development of the Oregon coast. p. A1169
23. SOIL BANK. Sen. Talmadge inserted an editorial, "Soil Bank Signups End in Typical Confusion," which criticizes the administration of the soil bank program. p. A1122
24. PRICE SUPPORTS. Sen. Young inserted two editorials opposing the proposed new farm-support program. pp. A1123-4
25. INFORMATION. Extension of remarks of Sen. Proxmire stating that "one of the most crippling defects in our governmental operations is the denial by Government officials of the public's right to know the facts about public business," and inserting an article on this subject. pp. A1124-5
26. BUDGETING. Rep. Boland inserted four editorials supporting the Hoover Commission recommendation that the Federal budget be placed on an annual accrued expenditure basis. pp. A1130-1
Extension of remarks of Rep. Magnuson criticizing the Citizen's Committee for the Hoover Report for issuing a "distorted oversimplification" concerning the unspent balance of Army procurement to bolster their argument for an accrued expenditures budget. pp. A1180-2

27. FARM CREDIT. Rep. Anderson inserted a Farmers' Union statement to the House Banking and Currency Committee on S. 1451, the proposed Financial Institutions Act, contending it was a deceptive bill and citing language concerning usury as an invitation to usurious loans. pp. All44-5
Rep. Celler inserted his statement to the House Banking and Currency Committee on the proposed Financial Institutions Act based on Judiciary Committee studies of bank mergers. pp. All45-52
Rep. Multer inserted a statement by the Credit Union Nat'l Ass'n on the changes in the Federal Credit Union Act which would be made by S. 1451, the proposed Financial Institutions Act, and their position on each point. pp. All83-8
28. RURAL DEVELOPMENT. Rep. Vursell inserted a USDA release quoting organizations and individuals supporting the rural development program. pp. All60-2
29. HUMANE SLAUGHTER. Extension of remarks of Rep. Rogers, Mass., supporting the humane slaughter bill. pp. All66-7
30. COTTON. Rep. Hemphill inserted an editorial from the South Carolina Farmer criticizing efforts to reduce the cotton support price to below the world price level and attaching the administration of the Department's cotton programs, principally the soil bank application "shutdown." pp. All68-9
31. WHEAT. Rep. Breeding inserted his statement to the House Agriculture Committee's Wheat Subcommittee on H. R. 9814, to allow acreage planted to the 1958 winter wheat crop in excess of wheat acreage allotments to be considered in establishing future allotments. He asserted that the USDA interpretation of Public Law 85-203 came too late to notify many wheat producers of the situation. p. All74

BILLS INTRODUCED

32. EMPLOYMENT. S. 3244, by Sen. Kennedy (for himself and others), H. R. 10570, by Rep. McCarthy, and H. R. 10577, by Rep. Ashley, to provide for unemployment reinsurance grants to the States, to revise, extend, and improve the unemployment insurance program; to Finance Committee and Ways and Means Committee. Remarks of Sen. Kennedy. pp. 1556-7. Remarks of Rep. McCarthy. p. 1605. Remarks of Rep. Ashley. p. 1606
33. FOREST LANDS. S. 3247, by Sen. Neuberger (for himself and others), relating to mining claims on lands within the national forests; to Interior and Insular Affairs Committee. Remarks of author. pp. 1558-60
S. 3248, by Sen. Watkins, to authorize the Secretary of Agriculture to exchange lands comprising the Pleasant Grove Administrative Site, Uinta National Forest, Utah; to Agriculture and Forestry Committee.
34. PRICE SUPPORTS. S. 3249, by Sen. Watkins, to better adapt the price support program to the needs of farmers by providing more latitude for increasing acreage allotments, establishing price supports, continuing authority for the disposition of surpluses; to Agriculture and Forestry Committee. Remarks of author. pp. 1560-1
S. 3250, by Sen. Young (for himself and Sen. Mundt), to provide for the use of the same base period in computing parity prices for agricultural commodities as is used by the Bureau of Labor Statistics in computing the consumer price index; to Agriculture and Forestry Committee. Remarks of Sen. Young. pp. 1561-2.

85TH CONGRESS
2D SESSION

S. 1497

IN THE SENATE OF THE UNITED STATES

FEBRUARY 6, 1958

Referred to the Committee on Agriculture and Forestry and ordered to be
printed

AMENDMENT

(IN THE NATURE OF A SUBSTITUTE)

Intended to be proposed by Mr. HUMPHREY to the bill (S. 1497) to require the use of humane methods in the slaughter of livestock and poultry in interstate or foreign commerce, and for other purposes, viz: Strike out all after the enacting clause and insert in lieu thereof the following:

- 1 That the Congress finds that the use of humane methods
- 2 in the slaughter of livestock prevents needless suffering;
- 3 results in safer and better working conditions for persons
- 4 engaged in the slaughtering industry; brings about improve-
- 5 ment of products and economies in slaughtering operations;
- 6 and produces other benefits for producers, processors, and
- 7 consumers which tend to expedite an orderly flow of live-

1 stock and livestock products in interstate and foreign com-
2 merce. It is therefore declared to be the policy of the
3 United States that the slaughtering of livestock and the
4 handling of livestock in connection with slaughter shall be
5 carried out only by humane methods.

6 SEC. 2. No method of slaughtering or handling in con-
7 nection with slaughtering shall be deemed to comply with
8 the public policy of the United States unless it is humane.
9 Either of the following two methods of slaughtering and
10 handling are hereby found to be humane:

11 (a) in the case of cattle, calves, horses, mules,
12 sheep, swine, and other livestock, all animals are ren-
13 dered insensible to pain by a single blow or gunshot
14 or an electrical, chemical, or other means that is rapid
15 and effective, before being shackled, hoisted, thrown,
16 cast, or cut; or

17 (b) by slaughtering in accordance with the ritual
18 requirements of the Jewish faith or any other religious
19 faith that prescribes a method of slaughter whereby the
20 animal suffers loss of consciousness by anemia of the
21 brain caused by the simultaneous and instantaneous
22 severance of the carotid arteries with a sharp instrument.

23 SEC. 3. The public policy declared herein shall be taken
24 into consideration by all agencies of the Federal Government
25 in connection with all procurement and price support pro-

1 grams and operations and after December 31, 1959, no
2 agency or instrumentality of the United States shall contract
3 for or procure any livestock products produced or processed
4 by any slaughterer or processor which in any of its plants
5 or in any plants of any slaughterer or processor with which
6 it is affiliated slaughters or handles in connection with
7 slaughter livestock by any methods other than methods
8 designated and approved by the Secretary of Agriculture
9 (hereinafter referred to as the Secretary) pursuant to sec-
10 tion 4 hereof: *Provided*, That during the period of any
11 national emergency declared by the President or the Con-
12 gress, the limitations on procurement required by this section
13 may be modified by the President to the extent determined
14 by him to be necessary to meet essential procurement needs
15 during such emergency. For the purposes of this section a
16 slaughterer or processor shall be deemed to be affiliated with
17 another slaughterer or processor if it controls, is controlled
18 by, or is under common control with, such other slaughterer
19 or processor. After December 31, 1959, each supplier from
20 which any livestock products are procured by any agency
21 of the Federal Government shall be required by such agency
22 to make such statement of eligibility under this section to
23 supply such livestock products as, if false, will subject the
24 maker thereof to prosecution, title 18, United States Code,
25 section 287.

1 SEC. 4. In furtherance of the policy expressed herein
2 the Secretary is authorized and directed—

3 (a) to conduct, assist, and foster research, investi-
4 gation, and experimentation to develop and determine
5 methods of slaughter and the handling of livestock in
6 connection with slaughter which are practicable with
7 reference to the speed and scope of slaughtering opera-
8 tions and humane with reference to other existing
9 methods and then current scientific knowledge;

10 (b) on or before June 30, 1958, and at such times
11 thereafter as he deems advisable, to designate methods
12 of slaughter and of handling in connection with slaughter
13 which, with respect to each species of livestock, con-
14 form to the policy stated herein. If he deems it more
15 effective, the Secretary may make any such designation
16 by designating methods which are not in conformity
17 with such policy. Designations by the Secretary sub-
18 sequent to July 1, 1959, shall become effective for
19 purposes of section 3 hereof 180 days after their publi-
20 cation in the Federal Register;

21 (c) to provide suitable means of identifying the
22 carcasses of animals inspected and passed under the
23 Meat Inspection Act (21 U. S. C. 71 and the following)
24 that have been slaughtered in accordance with the
25 public policy declared herein.

1 SEC. 5. To assist in implementing the provisions of sec-
2 tion 4, the Secretary is authorized to establish an advisory
3 committee. The functions of the Advisory Committee shall
4 be to consult with the Secretary and other appropriate
5 officials of the Department of Agriculture and to make
6 recommendations relative to (a) the research authorized
7 in section 4; (b) obtaining the cooperation of the public,
8 producers, farm organizations, industry groups, humane asso-
9 ciations, and Federal and State agencies in the furtherance
10 of such research and the adoption of improved methods;
11 and (c) the designations required by section 4. The Com-
12 mittee shall be composed of twelve members, of whom one
13 shall be an officer or employee of the Department of Agri-
14 culture designated by the Secretary (who shall serve as
15 Chairman); two shall be representatives of national organi-
16 zations of slaughterers; one shall be a representative of the
17 trade-union movement engaged in packinghouse work; one
18 shall be a representative of the general public; two shall
19 be representatives of livestock growers; one shall be a repre-
20 sentative of the poultry industry; two shall be representa-
21 tives of national organizations of the humane movement; one
22 shall be a representative of a national professional veterinary
23 organization; and one shall be a person familiar with the
24 requirements of religious faiths with respect to slaughter.
25 The Department of Agriculture shall assist the Committee

1 with such research personnel and facilities as the Depart-
2 ment can make available. Committee members other than
3 the Chairman shall not be deemed to be employees of the
4 United States and are not entitled to compensation but the
5 Secretary is authorized to allow their travel expenses and
6 subsistence expenses in connection with their attendance at
7 regular or special meetings of the Committee. The Commit-
8 tee shall meet at least once each year and at the call of the
9 Secretary and shall from time to time submit to the Secre-
10 tary such reports and recommendations with respect to new
11 or improved methods as it believes should be taken into
12 consideration by him in making the designations required
13 by section 4 and the Secretary shall make all such reports
14 available to the public.

15 SEC. 6. Nothing in this Act shall be construed to pro-
16 hibit, abridge, or in any way hinder the religious freedom
17 of any person or group to slaughter and prepare for the
18 slaughter of livestock in conformity with the practices and
19 requirements of his religion.

AMENDMENT

(IN THE NATURE OF A SUBSTITUTE)

Intended to be proposed by Mr. HUMPHREY to the bill (S. 1497) to require the use of humane methods in the slaughter of live-stock and poultry in interstate or foreign commerce, and for other purposes.

FEBRUARY 6, 1958

Referred to the Committee on Agriculture and Forestry
and ordered to be printed

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued April 16, 1958
For actions of April 15, 1958
85th-2d, No. 57

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HIGHLIGHTS: See page 5.

HOUSE

1. DURUM WHEAT. The Agriculture Committee ordered reported H. R. 11092, to provide increased durum wheat acreage allotments for certain counties in the Tulalake area, Calif. p. D306
2. LIVESTOCK LOANS. The Agriculture Committee ordered reported H. R. 11424, to extend the authority for extension of special livestock loans. p. D306
3. SOIL BANK. The Agriculture Committee ordered reported H. R. 10114, to provide a more equitable treatment for producers participating in the soil bank program for previous actions taken on the basis of incorrect information furnished by this Department. p. D306
4. PROPERTY. A subcommittee of the Government Operations Committee ordered reported with amendment S. 2224, to amend the procedures on advertised and negotiated disposals of surplus property, and S. 2533, to authorize GSA to lease space for Federal agencies. p. D307
5. GRAIN PRICES. Rep. Hill inserted a recent USDA Daily Summary release commenting on trends in grain prices. p. 5777

6. ECONOMIC SITUATION. Several Representatives discussed the current economic situation including comments on farm conditions, and debated the matter of who is responsible for some declines in the economy. pp. 5782-83, 5785-88, 5788-90, 5783-85

SENATE

7. ~~LIVESTOCK, SEEDS, WEEDS, RESEARCH.~~ The Agricultural Research and General Legislation Subcommittee ordered reported to the Agriculture and Forestry Committee the following bill:
- S. 1497, to require the humane slaughter of livestock (as amended by substituting the language of H. R. 8308);
 - S. 1939, to amend the Federal Seed Act;
 - S. 3076, authorizing the transportation in the U. S. of live foot-and-mouth disease virus for research purposes;
 - and a clean bill (in place of S. 672 and S. 2490) to control noxious plants on Federal lands. p. D305
8. MEATPACKING. Sen. Watkins discussed the proposed amendments to the Packers and Stockyards Act, and concluded that the F.T.C. was supporting the Young-Carroll amendment to S. 1356, which would grant the Secretary jurisdiction over all livestock transactions in interstate commerce. He inserted the F.T.C. report opposing H. R. 9020 and favoring S. 1356 (with section 2 of H. R. 9020) instead. pp. 5760-1
9. FLOOD CONTROL. Received the President's veto message on S. 497, the rivers and harbors and flood control bill. Sens. Humphrey, Kefauver, Yarborough, and Morse criticized the veto. pp. 5721-3, 5762-3.
10. PUBLIC WORKS. Continued debate on S. 3497, the community facilities bill authorizing the Housing and Home Finance Agency to lend local governmental units up to \$1 billion for construction of public works. Adopted the following amendments:
- By Sen. Javits, to make civil defense facilities eligible for loans (p. 5727);
 - By Sen. Case, 54 to 25, to make the Davis-Bacon Act, controlling the maximum hours and minimum wages, apply to this bill (pp. 5749-60);
- Rejected the following amendment:
- By Sen. Fulbright, 40 to 41, to base the interest cost of loans on the average cost of procuring Federal credit (pp. 5723-60, 5727-49).
11. WHEAT. Sen. Thye inserted a statement, ~~his letter to the Secretary~~, and Mr. McLain's reply, defending the value of the wheat subsidy-in-kind program under which exporters receive the export subsidy in the form of grain. pp. 5682-3
12. FORESTRY. Sen. Humphrey commented on the importance of reforestation and inserted editorials praising the Forest Service's "Timber Resources for America's Future." pp. 5704-5
- Sen. Humphrey inserted a letter and a resolution urging the Forest Service to begin work on the Gunflint Trail forest highway project. pp. 5668-9
 - Sen. Kefauver thanked the paper and pulp publishers for their developments in using Southern softwoods. p. 5718

only because of administration cuts in farm income on the one hand and having to pay record high prices for the things they must buy.

ARVID MATTSON, *Inman.*

IT'S TIME FOR A CHANGE IN AGRICULTURE DEPARTMENT

Mr. Benson's failure has been pointed out to him time and time again. In the operation of his farm program we know he is responsible in large measure for the way the country as a whole accepts and understands the needs and problems of farm people.

But he has fallen down. He has been more of an apologist for farmers than a champion of them and their institutions, including our cooperatives. Indeed, he has set back agriculture's public relations a whole generation.

Does he really think he is justified in shaping his farm policies that way? He has condemned the farmers not only 1 year but ever since he has been in office. He is now, and now history may well record that 5 years of declining purchasing power on American farms is the direct cause of the recession in which the whole Nation finds itself during these early months of 1958. Certainly, the time has come to make a change. A new Secretary of Agriculture is a must.

JAKE MOHR.

McCRACKEN.

[From the Great Bend (Kans.) Daily Tribune, April 6, 1958]

ADMINISTRATION BURIED DEEPER UNDER GROWING WHEAT SURPLUS (By Ovid A. Martin)

WASHINGTON.—The Eisenhower administration has lost ground during its years of trying to reduce the Nation's big wheat surplus.

Furthermore, the way things are going, no improvement is in sight.

This situation exists even though the Government has employed production-control measures on five wheat crops and proposes controls for the sixth, and has spent more than \$2½ billion in trying to bring supplies into balance with markets.

Just why this should be is a matter for argument. The administration contends the tools Congress has given it are inadequate to do the job. Its critics reply that the tools it wants wouldn't succeed, either.

When the administration took over in 1953, the Nation's wheat supply totaled about 1¼ billion bushels—the largest of record to that date. At that time there was an annual market for about 978 million bushels.

The supply for 1958 has been forecast at more than 2 billion bushels, or 13 percent larger than when President Eisenhower entered the White House. Given unusually favorable weather during the growing season, this year's supply could easily exceed the present estimate.

This situation will be one of the matters wheatgrowers must weigh before going to polls June 20 to vote yes or no on continuation of marketing quotas on the 1959 wheat crop. Approval by at least two-thirds of those voting is required to make the quotas operative.

In a similar referendum a year ago on quotas for the 1958 crop, the vote was 86 percent in favor of the controls.

Many farm leaders say the fact that no progress has been made in getting wheat production and supplies in line with market requirements points up the need for a new approach to the wheat problem.

The continued existence of a big wheat surplus does not mean Eisenhower and his Secretary of Agriculture, Ezra Taft Benson, have not tried to remedy the situation.

The administration has searched the corners of the earth for new markets. It did succeed in moving a record quantity of the grain into export markets 1 year. In fact, foreign shipments during the Eisenhower

years have been the highest of record of an equivalent peacetime period.

In opening up markets, it cut prices on its grain and offered subsidies to encourage export of commercial supplies into lower priced foreign markets.

It has cut price supports on the grain in an effort to discourage over production. When the Republicans took over, the support rate was \$2.09 a bushel. It has been reduced to \$1.78.

The administration has cut acreages under the control program to the lowest level permitted by law. But production continues to outstrip markets.

Boost the Rates—End the Deficits

EXTENSION OF REMARKS

OF

HON. HAMER H. BUDGE

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 27, 1958

Mr. BUDGE. Mr. Speaker, Mr. Robert M. Hammes, editor of the Minidoka County News, Rupert, Idaho, is certainly to be commended on his analysis of the postal-rate situation, contained in the editorial below, which he wrote for the April 7, 1958, edition of the countywide paper:

BOOST THE RATES—END THE DEFICITS

A million and a half dollars a day.

Wouldn't that be a nice income to have?

But it's not income as far as the United States Post Office is concerned, because that's the daily deficit.

Right now the question of postage rates is being thrashed out by Congress. The biggest noise is coming from the argument on the 4-cent or 5-cent letter rate, but the biggest part of the deficit comes from second- and third-class mail. (Second class is magazines and newspapers; third class is catalogs, advertising fliers, boxholders, etc.)

Now the raise in letter postage has merit. It was way back in 1932 that the rate was raised from 2 cents to 3 cents. It is certainly important that those who use the mails pay for them (and about 85 percent of the first-class mail is originated by business). So it only seems proper that first class should take some increase.

But the biggest deficit makers, second- and third-class mail, are not getting the ballyhoo and publicity that the debate about first class is receiving. Both classes need substantial increases. True enough, the rates on these classes of mail have taken increases in recent years. Second class is now paying 60 percent more than it did a few years ago. But this increase is still not enough to wipe out the deficit it causes.

The Post Office Department claims that one of the largest circulation magazines in the country is delivered at a deficit of over 3 cents for every one of the millions of copies issued every month. Another magazine, a weekly, contributes 1 to 3 cents per copy deficit on every one of millions of copies issued every week. The deficit is a direct subsidy to the publishers of these magazines—both of whom are violently opposed to subsidies for others.

Newspapers, too, contribute to this second-class deficit. However, most dailies are delivered by carrier boy and the circulation of most weeklies is closely confined to the city of publication. Over 80 percent of the circulation of the Minidoka County News, for example, goes to homes within 15 miles of Rupert. But, in spite of this limit of transportation, the newspapers also contribute to the second-class deficit. They,

too, are enjoying a direct subsidy from the post office—and the taxpayers.

Third class mail, the circulars, advertising letters, catalogs, fliers, etc., also contribute heavily to the postal deficit. No one, in my hearing, has ever welcomed this stuff that always clutters up the mailboxes, and the postal employees dislike the stuff, too. This is also subsidized, a subsidy to the firms that use direct mail and to the printing plants that produce the stuff. Third class, along with second class, should be increased.

What this whole thing boils down to is this, the general taxpayer is paying a portion of his tax money to magazines, newspapers, advertisers using third class, a class of business that certainly should be able to stand on its own feet without subsidy.

This is wrong. The postal rates should be increased and the postal deficit eliminated. Write your Senators and Congressmen now, and tell them what you think.

Outstanding American

EXTENSION OF REMARKS

OF

HON. THOMAS J. LANE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 3, 1958

Mr. LANE. Mr. Speaker, under leave to extend my remarks in the RECORD, I wish to include a very interesting article on an outstanding American, Congressman JOHN W. McCORMACK, the House majority leader, which appeared in the Lynn (Mass.) Telegram-News on April 6, 1958:

OUTSTANDING AMERICAN

One of the greatest of all living Americans was recognized recently when the National Conference of Christians and Jews cited Congressman JOHN W. McCORMACK, House majority leader in Washington, for his distinguished service in the field of human relations.

For more than 30 years now, the name of JOHN McCORMACK has been synonymous with justice and decency in Washington. No group has ever been too small or insignificant to merit his help or sympathy.

The powerful voice of Congressman McCORMACK has seen to it time and again that the people of Ireland, Israel, and other small nations have been accorded their true diplomatic rights. One wonders just how these small nations would be treated in the absence of a man of McCORMACK's stature.

During the long years of the Roosevelt-Truman administrations, Congressman McCORMACK unquestionably could have had any job within the gift of the party. But it is a matter of record that on many occasions he turned them down, even an offer of appointment to the United States Supreme Court bench.

"I prefer to stay in the Congress where I feel I can do the most good for the people of America and particularly for those who cannot come here to speak for themselves," he has often stated.

The hundreds who attended the recent 30th anniversary banquet of the Conference of Christians and Jews, at which Congressman McCORMACK was honored, were privileged to be present at ceremonies honoring a great American.

Not only is Congressman McCORMACK to be congratulated on his new honor which has been bestowed upon him, recognition is also due his devoted and talented wife, Mrs. Harriett McCormack. Mrs. McCormack has been a tower of strength in her husband's life. She deservedly stands at his side in his newest hour of praise and tribute.

Daily Digest

HIGHLIGHTS

Senate received President's veto of flood control bill, and again took up community facilities bill.

Senate

Chamber Action

Routine Proceedings, pages 5663-5707

Bills Introduced: 8 bills and 1 resolution were introduced, as follows: S. 3616-3623; and S. Res. 288.

Pages 5669-5670

Bill Reported: Report was made as follows: S. Con. Res. 77, to extend greetings to the Federal Legislature of the West Indies (S. Rept. 1435).

Page 5669

Bill Referred: One House-passed bill was referred to appropriate committee.

Page 5663

President's Communication—Civil Defense: Communication was received from President transmitting amendment to budget for fiscal year 1959 involving increase of \$2,915,000 for Federal Civil Defense Administration—referred to Committee on Appropriations and ordered to be printed as S. Doc. 89.

Page 5663

Veto Message—Flood Control: Message from President vetoing S. 497, Flood Control Act of 1958, was received, read, and ordered to lie on table and be printed as S. Doc. 88.

Page 5721

Community Facilities: Senate again took up (following its postponement on April 1) S. 3497, Community Facilities Act of 1958, taking the following additional actions on amendments thereto:

Adopted: Javits amendment to add civil defense facilities to type of projects included in the bill; and by 54 yeas to 25 nays (motion to reconsider tabled), modified Case (New Jersey) amendment providing that on projects under bill the prevailing wage rate and 40-hour week or time and a half for hours in excess thereof shall apply; and

Rejected: By 40 yeas to 41 nays (motion to reconsider tabled), Fulbright amendment to limit interest rates on authorized loans to 3 percent instead of 3½ percent.

Pending at adjournment was Thurmond amendment to declaration of policy in bill so as to provide for extension of credit on reasonable terms rather than where such credit is not otherwise available on equally favorable terms or conditions.

Pages 5707-5708, 5723-5760

D. C. Births: Senate concurred in House amendment to S. 1708, relating to children born out of wedlock in the District of Columbia. This action cleared the bill for the White House.

Page 5760

Program for Wednesday: Senate adjourned at 7:58 p. m. until noon Wednesday, April 16, when it will continue on S. 3497, community facilities bill.

Pages 5760, 5762, 5768

Committee Meetings

(Committees not listed did not meet).

SUBCOMMITTEE BUSINESS

Committee on Agriculture and Forestry: Subcommittee on Agricultural Research and General Legislation, in executive session, ordered reported to the full committee (1) S. 1497, to require the use of humane methods in the slaughter of livestock and poultry in interstate and foreign commerce (amended by substituting the language of H. R. 8308, a related House-passed bill), (2) S. 1939, to amend in several respects the Federal Seed Act of 1939, (3) a clean bill in lieu of S. 672 and S. 2490, to control noxious plants on Federal lands, and (4) S. 3076, authorizing transportation in the U. S. of live foot-and-mouth disease virus for research purposes.

Subcommittee will hold hearings at 2 p. m. tomorrow to hear out-of-town witnesses with respect to S. 3538, to amend the Packers and Stockyard Act relative to practices in the marketing of livestock.

Subcommittee agreed to hold hearings on S. 724 and S. 2306, bills to provide for the increased use of agricultural products for industrial purposes.

APPROPRIATIONS—HEW

Committee on Appropriations: Subcommittee continued its hearings on H. R. 11045, fiscal 1959 appropriations for the Departments of Labor and Health, Education, and Welfare, with testimony from Dr. Leroy E. Burney, Surgeon General; Dr. David E. Price, Chief, Bureau of State Services; Dr. James K. Shafer, Division of General Health Services; Drs. Robert J. Anderson and C. A. Smith, both of the Communicable

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Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued June 19, 1958
For actions of June 18, 1958
85th-2d, No. 100

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HIGHLIGHTS: Senate committee reported bills to authorize study of humane slaughter methods; extend special livestock loan authority; and reduce allotments for 2nd crop of tobacco grown on allotment in one year. House subcommittee ordered reported bill to authorize training for Federal employees at outside facilities. Conferees agreed to file report on mutual security authorization bill.

SENATE

1. HUMANE SLAUGHTER. The Agriculture and Forestry Committee reported with amendments H. R. 8308, to require the use of humane methods of slaughter of livestock and poultry (S. Rept. 1724) (p. 10429-30). The Daily Digest reported that the substitute amendment would provide for a study of this subject by the Department and a report to Congress on its finding within 2 years (pp. D557-8).
2. LIVESTOCK LOANS. The Agriculture and Forestry Committee reported with amendment H. R. 11424, to extend for 2 years (through July 14, 1961) certain authority of the Secretary for special livestock loans (S. Rept. 1723). p. 10429
3. TOBACCO. The Agriculture and Forestry Committee reported without amendment H. R. 11058, to reduce the acreage allotments of tobacco farmers who harvest more than one crop of tobacco in a year from the same acreage (S. Rept. 1725). p. 10430
4. SURPLUS FOODS. The Agriculture and Forestry Committee reported without amendment H. R. 12164, to permit the donation of surplus foods to nonprofit summer camps for children without reference to the number of needy children (S. Rept. 1726). p. 10430

5. TAXES. Began debate on H. R. 12695, the tax rate extension bill, with discussion of the economic situation. pp. 10447-79
6. WATERSHEDS. The Agriculture and Forestry Committee approved watershed projects at Canoe Creek, Ky., and Wild Rice Creek, N. D. and S. D. p. D558
7. TRANSPORTATION. Sen. Neuberger inserted an article, "Outside Chance Seen for Halting Federal Transportation Excises." pp. 10445-6
Sen. Smathers inserted a statement by the American Trucking Ass'n asserting that the highway users were paying more than their fair share for the construction of highways. pp. 10480-3
8. STATEHOOD. Sen. Church inserted an editorial urging statehood for Alaska. p. 10479
9. TEXTILES. Sen. Thurmond urged quota limitations on the importation of types of textile goods from abroad. pp. 10479-80
10. VEGETABLES. Sen. Yarborough commended the 1959 Senate salad, which included shrimp, escarole, and green onions from Texas, and concluded that "Texas farmers and fishermen produce virtually every ingredient for delicious salad." p. 10483
11. PERSONNEL ETHICS. Sen. Morse inserted an editorial, "On Setting An Example," and discussed the ethics of the administration. pp. 10483-5
12. RECLAMATION. Both Houses received from the Interior Department notice that an adequate soil survey and land classification had been made of the Crooked River project, Ore., and that these lands may be irrigated. pp. 10429, 10536
Both Houses received reports from the Interior Department of two project proposals under the Small Reclamation Projects Act of 1956, in Geortetown, Calif., and East Nicolaus, Calif. pp. 10429, 10536

HOUSE

13. PERSONNEL. A subcommittee of the Post Office and Civil Service Committee ordered reported with amendment S. 385, to authorize the training of Federal employees at public or private facilities. p. D561
14. TRANSPORTATION. The Interstate and Foreign Commerce Committee reported with amendment H. R. 12832, to amend the Interstate Commerce Act so as to strengthen and improve the national transportation system (H. Rept. 1922). p. 10537
A subcommittee of the Interstate and Foreign Commerce Committee ordered reported with amendment H. R. 8742, to provide a 2-year statute of limitations on actions involving transportation of property and passengers of the U. S. Government. p. D561
15. FEDERAL-STATE RELATIONS. The Rules Committee reported a resolution for consideration of H. R. 3, to establish rules of interpretation governing questions of the effect of acts of Congress on State laws. p. 10537
16. SURPLUS PROPERTY. The Government Operations Committee reported with amendment S. 2752, to modify procedures for submitting proposed surplus property disposals to the Attorney General (H. Rept. 1920). p. 10537

HUMANE SLAUGHTER OF LIVESTOCK AND POULTRY

JUNE 18, 1958.—Ordered to be printed

Mr. ELLENDER, from the Committee on Agriculture and Forestry,
submitted the following

REPORT

[To accompany H. R. 8308]

The Committee on Agriculture and Forestry, to whom was referred the bill (H. R. 8308) to establish the use of humane methods of slaughter of livestock as a policy of the United States, and for other purposes, having considered the same, report thereon with a recommendation that it do pass with amendments.

SHORT EXPLANATION

This bill, with the committee amendment to its text, is designed to bring about the use of humane methods in all livestock and poultry slaughter operations in the United States. To accomplish this purpose the bill provides for—

- (1) research to develop and determine humane methods;
- (2) promotion of the use of humane methods;
- (3) progress reports to Congress;
- (4) submission to Congress within 2 years of a complete legislative proposal requiring adoption by slaughterers of humane methods;
- (5) an advisory committee drawn from interested groups to assist in effectuating the act; and
- (6) appropriation of necessary funds.

The committee had before it, in addition to H. R. 8308, as passed by the House, S. 1497 and S. 1213.

The committee held hearings on the subject of the bill for 4 days, and these have been printed and are available for the information of the Senate. The committee also held hearings in 1956 on S. 1636 of the 84th Congress, which was reported out and passed by the Senate too late in that Congress to be acted upon by the House. At the hearings, in general, all witnesses have favored the adoption of improve-

ments in the humane handling and slaughtering of food animals. Differences of opinion have been expressed only in the area of how the objective was to be accomplished.

As passed by the House, the bill would have prohibited purchases by the United States after December 31, 1959, of livestock products produced or processed by slaughterers using other than humane methods. The hearings brought out a number of problems with respect to this proposal, the primary problem being a lack of scientific information as to what methods are actually humane. S. 1636, as passed by the Senate in 1956 would have provided the necessary research on this question, but unfortunately it was not passed and this question remains unanswered. The committee amendment is intended to provide for such research, so that within 2 years the Secretary should be able to advise slaughterers as to what methods are humane and it should be possible to enact effective legislation to require the adoption of those methods by any slaughterers who have not already adopted them within that period.

SECTION BY SECTION ANALYSIS

The first section provides that the use of inhumane methods of slaughtering and handling of livestock and poultry is contrary to the public interest and causes needless suffering and has an adverse effect upon the public acceptance of livestock products. It also sets forth a declaration of policy of the United States that the slaughtering and handling of livestock and poultry shall be carried out by humane methods.

The second section authorizes and directs the Secretary of Agriculture (a) to conduct, assist, and foster research for the development and determination of methods of slaughter and handling of livestock which are humane and practicable in the light of current scientific knowledge; (b) to promote and encourage the use of humane methods of slaughter and handling of livestock and poultry by disseminating the results of scientific research and by working with slaughterers, humane associations, and other interested persons; (c) to report to the Congress by January 1, 1959, and annually thereafter, concerning the actions taken pursuant to the legislation; and (d) to report to the Congress any changes in the methods of slaughter adopted by the slaughtering industry, together with the recommendations on the need for legislative action as he may determine.

It further provides that within 2 years after the enactment of the legislation, the Secretary shall submit to the Congress a complete legislative proposal setting forth those methods of slaughter found to be humane and requiring their adoption by the slaughtering industry. The research and promotion efforts provided for by the bill would not, however, stop at the time such further legislation might be enacted, but the bill provides for a continuing review and improvement of slaughtering methods.

The third section provides authority for the Secretary of Agriculture to establish an Advisory Committee which will assist him in effectuating the provisions of section 2. The Committee shall consist of members from the following fields of interest: (1) Humane treatment of animals; (2) the production of livestock; (3) the slaughter of livestock, including ritualistic slaughter; (4) animal husbandry; and (5) veter-

inary medicine. The Chairman of the Committee shall be an official of the Department of Agriculture designated by the Secretary.

The fourth section would authorize the appropriation of funds necessary to carry out the provisions of the legislation.

DEPARTMENTAL VIEWS

The following views were received concerning H. R. 8308, as passed by the House, and present some of the problems which led the committee to recommend the committee amendment.

DEPARTMENT OF AGRICULTURE,
Washington, D. C., February 25, 1958.

HON. ALLEN J. ELLENDER,
*Chairman, Committee on Agriculture and Forestry,
United States Senate.*

DEAR SENATOR ELLENDER: This is with reference to H. R. 8308, a bill to establish a national policy whereby livestock would be slaughtered by humane methods.

Section 3 of the bill requires that after December 31, 1959, Government procurement of meat and livestock products be made only from processors who in all of their slaughtering operations are complying with methods of humane slaughter designated and approved by the Secretary of Agriculture. This requirement would have an adverse effect upon this Department's meat-purchase programs, particularly section 32 surplus removal programs for livestock which are undertaken to encourage domestic consumption thereby providing price assistance to producers.

Even though beef-slaughtering operations were to be conducted in accordance with the bill, this Department could not purchase any kind of meat from slaughterers who slaughtered any animals not in accordance with section 2. Consequently, if this Department desired to provide price assistance to producers for one species of livestock through meat purchases, it would be difficult, if not impossible, under the bill because most meatpacking firms slaughter several species of livestock, one or more of which may not be slaughtered in accordance with section 2.

Several methods of providing price assistance to livestock producers have been given careful consideration. Surplus removal of meat products has been found to be a very practical and effective means of providing such assistance to a perishable agricultural commodity. This Department, in carrying out section 32 meat-purchase programs, must necessarily purchase the products from packers and processors. Meat products purchased usually are required to be prepared under special specifications so as to insure that they are of the kind and quality which may be best utilized by the eligible outlets.

In the past, during periods of low livestock prices, this Department has removed surplus meat from the normal channels of trade to provide market assistance to livestock producers. The products purchased are donated to schools participating in the national school-lunch program, and to charitable institutions, needy families, and other eligible outlets. In 1953, this Department purchased 217 million pounds of beef at a cost of \$85.7 million. During the 1955-56 marketing year, 196 million pounds of pork products and lard were

purchased at a cost of \$101.7 million. Also, during the fall of 1956, 100 million pounds of livestock products, including 28 million pounds of pork and lard, were purchased at a cost of \$32.9 million. These programs provided considerable market assistance to livestock producers during times when it was most needed.

Even though these quantities are quite large, they are small in relation to total output. It is doubtful whether the meat purchased by this Department and other Government agencies would provide sufficient incentive for the industry to make large-scale changes in their slaughtering operations as required by this legislation. It is also likely that some firms would offer products to the Government only at prices necessary to cover the expenses incurred in making changes necessitated by the bill.

Usually the section 32 meat-purchase programs are undertaken on relatively short notice and are conducted for only a relatively short period of time when supplies of livestock are exceptionally large and prices to producers are seriously depressed. During such periods the meat industry, of course, is operating near capacity. As a result, past experience has indicated that one of the main difficulties in successfully carrying out a meat-purchase program is obtaining prompt and sufficient participation by the meat industry. Section 3 of the bill would make it exceptionally difficult to successfully carry out section 32 surplus meat purchases.

The Department emphatically favors humane slaughter of livestock by any method that is found to be practicable and workable. In the past, we opposed the enactment of H. R. 8308 and such similar bills due to our conviction that the most practical approach to the problem would come from an orderly pooling of the efforts of Government, industry, and the humane associations, and that research is needed to develop information which would guide the development of practical methods.

In lieu of H. R. 8308, as passed by the House, we recommend that the Senate consider the merits of S. 1213. This bill would provide an orderly approach to the objective of humane slaughter and would, in addition, provide for a coordinated national effort to improve the humane handling and transport of food animals which involve repeated handling of these animals during the marketing process from farm to slaughter.

Since section 3 of H. R. 8308 would be particularly detrimental to the programs which this Department administers, we are calling it to your attention at this time. In the meantime, we are making a further analysis of other sections of the bill to determine their impact on this Department.

The Bureau of the Budget advises that there is no objection to the submission of this report.

Sincerely yours,

TRUE D. MORSE, *Acting Secretary.*

DEPARTMENT OF THE ARMY,
Washington, D. C., April 8, 1958.

HON. ALLEN J. ELLENDER,
*Chairman, Committee on Agriculture and Forestry,
United States Senate.*

DEAR MR. CHAIRMAN: Reference is made to your request to the Secretary of Defense for the views of the Department of Defense with respect to H. R. 8308, 85th Congress, an act to establish the use of humane methods of slaughter of livestock as a policy of the United States, and for other purposes. The Secretary of Defense has delegated to the Department of the Army the responsibility for expressing the views of the Department of Defense thereon.

The bill would establish the use of humane methods of slaughter of livestock as a policy of the United States and in addition to methods of slaughter defined therein as humane, would require the Secretary of Agriculture, with the help of an advisory committee, to designate other methods which conform to the policy. Further, section 3 of the bill would prohibit after December 31, 1959, the procurement by any agency or instrumentality of the United States of any livestock products produced or processed by any slaughterer, or processor which in any of its plants or those of its affiliates, slaughters or handles in connection with slaughter, livestock by methods other than those designated and approved by the Secretary of Agriculture. Each supplier from which livestock products are procured would be required to make a statement of eligibility, which, if false, would subject the maker to prosecution under 18 U. S. C. 287.

The Department of the Army, on behalf of the Department of Defense, is completely in favor of the basic purpose of the bill, the use of humane methods in the slaughter of livestock, but is opposed to section 3 of the bill, as presently written.

The Department of Defense procures an estimated 2 percent of the national production of livestock and a large percentage of contract awards are made to small business firms. The requirements of section 3 would restrict competition, cause increased prices and could result in supply failure. No stunning device has been developed which would enable a packer to certify that all the animals slaughtered have been rendered insensible by a single blow or gunshot since these methods have been known to fail to stun each and every animal. If electrical or chemical means are prescribed as humane by the Secretary of Agriculture, it will take time for industry to obtain and install needed equipment. Modification of buildings may be required for installation of gas chambers and similar devices. Small-business firms may be faced with capital expenditures which they cannot afford. Larger packers, for whom Government supply represents only a small percentage of their production, might be willing to forgo this percentage rather than to make expensive changes in their systems or install methods, which could, after the further research provided for in the bill, be found to be unacceptable to the Secretary of Agriculture.

In addition to the possible effect on supplies for troop feeding, complications could result in the overseas procurement of livestock products for resale overseas. The bill as written makes no exceptions for overseas purchases. While it is understood that many foreign countries have laws relating to the humane slaughter of livestock, the methods prescribed may or may not conform to the methods found acceptable by the Secretary of Agriculture.

For the foregoing reasons it is recommended that either section 3 be eliminated from the bill or that the bill be made inapplicable to purchases by the Department of Defense.

The fiscal effects of this legislation are not known to the Department of Defense. The bill, if enacted into law, will require slaughterers and processors to incur additional expenses. It can be assumed, therefore, that a proportionate part of these additional expenses will be included in the contract prices of any livestock products purchased by the Department of Defense. The budget for fiscal year 1960 will have to include provisions to cover these additional expenditures.

The Bureau of the Budget advises that there is no objection to the submission of this report.

Sincerely yours,

WILBER M. BRUCKER,
Secretary of the Army.

DEPARTMENT OF AGRICULTURE,
Washington, D. C., April 15, 1958.

HON. ALLEN J. ELLENDER,
*Chairman, Committee on Agriculture and Forestry,
United States Senate.*

DEAR SENATOR ELLENDER: This has reference to our letter of February 25 concerning H. R. 8308, a bill to establish the use of humane methods of slaughter of livestock as a policy of the United States, and for other purposes. That letter called to your immediate attention the detrimental effects section 3 of the bill would have upon the meat purchase programs which this Department administers.

We are writing now to give a more detailed analysis of the bill and the reasons for the Department's opposition to it. The comments in this letter and in our letter of February 25 are equally applicable to S. 1497, which is also before your committee and which is similar to H. R. 8308.

The Department has consistently favored the adoption of humane methods in all handling of livestock to prevent needless suffering; has advocated safer and better working conditions and improvement of products in slaughtering establishments; and has sought to improve methods which aid the orderly flow of livestock and products in interstate commerce for the benefit of the Nation as a whole. At the same time, the Department has opposed mandatory legislation which would require those engaged in the business of preparing meat animals for food to adopt methods of slaughtering under threat of governmental sanction.

During discussions, it has been represented that the pending legislation would apply only to those few individuals or firms that sell their meat to agencies of the Federal Government. Actually, as a declared policy of the United States, were the bill to be enacted into law, its

effects would be felt in practically every community throughout the land. As to its specific terms, a large number of operators are involved in selling a considerable volume and variety of meat to agencies such as the Department of Defense, the Veterans' Administration, the Department of the Interior, this Department, and others. The precise number or identity of those firms affected by the pending legislation could not be determined at any one time without great difficulty because of the constant changes that naturally accompany purchases by Government agencies. Broad competition in bidding for Government contracts is necessary to maintain reasonable prices. If such competition were restricted, the extra costs to the Government in its meat purchase contracts could be considerable.

The bill itself is rather difficult to interpret because of some uncertainties as to the meanings of terms used and the application of the provisions of the bill. There was no hearing on this bill in the House, as it was a committee bill formulated after hearings on other bills which had been thoroughly discussed before the House Committee on Agriculture. Accordingly, it seems particularly important that the Department express its position with regard to the meaning and effect of the bill as it now stands in the light of the report of the House Committee on Agriculture, and the discussion on the floor when the bill was considered by the House.

Section 1 contains findings with respect to humane methods in the slaughter of livestock and a statement of public policy which is self-explanatory.

Section 2 provides that no method of slaughtering or handling in connection with slaughtering shall be deemed to comply with the stated public policy unless it is humane, and then sets forth general descriptions of "methods of slaughtering and handling" which are "found to be humane." The description of these methods must be viewed in the light of their application to commercial slaughtering operations. One of the methods is that in which all animals are rendered insensible to pain by a single blow or gunshot before being shackled, hoisted, thrown, cast, or cut. No method is known which will render all animals insensible by a single blow or gunshot without failure from time to time during continuing operations. The knocking hammer, the mechanical stunner, and the captive-bolt pistol are the three instruments involved. Any one of these when properly used will render an animal insensible to pain by a single blow or gunshot in most cases, but not in all, partly because of human error and partly because of the unpredictable movements of the animals. Other factors involve mechanical failures and such things as age and type of animal. It appears from the discussion of the bill in the House that the proponents of the bill believe that the use of the mechanical stunner and the captive-bolt pistol would be in accordance with the bill. As pointed out above in this paragraph, however, these instruments would not meet the standards set forth in the general description in paragraph (a) of section 2 of methods found to be humane, since these instruments do fail to stun some animals with a single blow. It also appears from the discussion that it is believed the knocking hammer would not comply with the bill. Of course, the knocking hammer has the same deficiencies as the mechanical stunner and the captive-bolt pistol, although apparently to a somewhat greater degree.

Under paragraph (b) of section 2 of the bill, slaughtering in conformity with the ritual requirements of the Jewish faith is found to be humane. It appears from the language of this paragraph that the description of this method applies to slaughtering only and not to handling animals in connection with slaughter, in which case the handling of the animals would have to be in compliance with a method designated and approved by the Secretary under section 4 of the bill. During the discussion in the House, it was stated that the provisions of paragraph (b) of section 2 "are not intended to deny the Department of Agriculture the right and power to prohibit any form of shackling and hoisting of conscious animals" and that "it is not, however, intended to and does not give the Department of Agriculture any right or power to restrict or prevent the use of the Weinberg or revolving pen" (104 Congressional Record 1430, daily edition February 4, 1958). The Weinberg device is not used commercially in this country and this Department has no firsthand knowledge of its practicability in high-speed plants. Nor does this Department have any firsthand knowledge of facts upon which to base a decision as to the humaneness of the use of this device. In order for the Department to designate and approve the Weinberg pen as a humane method of handling animals in connection with slaughter, therefore, it would be necessary to determine whether the device meets the criteria of the public policy set forth in the bill.

It is not clear what effect, if any, section 6 of the bill would have upon this situation. Section 6 provides that: "Nothing in this Act shall be construed to prohibit, abridge, or in any way hinder the religious freedom of any person or group to slaughter *and prepare for the slaughter* of livestock in conformity with the practices and requirements of his religion". [Italic supplied.] In view of the language of sections 2 and 6 of the bill, the remarks made during the discussion of the bill in the House, and the lack of knowledge with respect to the Weinberg pen, it is difficult for this Department to determine what administrative action would be appropriate if this bill becomes law.

Section 3 of the bill was discussed at length in our letter of February 25 pointing out the detrimental effects that would attend enforcing its provisions.

Section 4 provides in paragraph (a) for research, investigation, and experimentation to develop and determine methods of slaughter and handling of livestock in connection with slaughter which are practicable with reference to the speed and scope of slaughtering operations and humane with reference to other existing methods and current scientific knowledge. This is a provision consistently supported by the Department.

Paragraph (b) of section 4 requires the Secretary to designate methods of slaughter and of handling in connection with slaughter which, with respect to each species of livestock, conform to the policy stated in the bill. Such designations would at specified times thereafter become effective with regard to the enforcement provisions of the bill. Presumably, the Secretary would make the designations on the basis of scientific knowledge already in existence or which may be developed through research, investigation, and experimentation. Actually, there is very little scientific knowledge currently available on the humaneness of the various methods. The development of such knowledge must inevitably require a considerable expenditure

of time and money and, like all such developments of knowledge, must be subject to constant evolution and revision. This is inconsistent with the requirement that certain methods must be specifically designated which then comply with the provisions of the bill and must necessarily acquire a fixed status, not readily changed as new knowledge is developed without great disruption and excessive costs to those who must change their facilities and procedures to comply with administrative orders issued from time to time under the bill.

During the discussions on the floor of the House the following portion of paragraph (b) of section 4 was quoted:

"On or before June 30, 1958, and at such times thereafter as he deems advisable, to designate methods of slaughter and of handling in connection with slaughter which, with respect to each species of livestock conform, to the policy stated herein."

And the following question was asked with respect thereto:

"Would the gentleman tell me what the policy stated herein is, that is to what that language refers?"

The following reply was made:

"It is stated in section 2. It says now that certain procedures are found by the Congress to be humane. We say that those stated in the Anfuso amendment, which we adopted, are humane. Any packinghouse may rely on that. If the owner of a packinghouse complies with these methods, he builds his plant in accordance therewith. He is not subject to variations of opinion on the part of the Secretary of Agriculture, because he knows that the Congress has stated that these things are humane, and they remain so regardless of changes in the personnel in the Department of Agriculture or changes of opinion there. The Secretary, however, may prescribe other methods that he may say are humane, but he cannot deny the things Congress has said are humane. So we do give the packing industry the stability that has been suggested does not exist. At the same time we give the Secretary the right and we give to this Commission the duty, to try to determine, as scientific knowledge advances, just what other additional methods are humane, that we might not have simply a static situation where we could not take advantage of the new developments of science but instead, as new developments appeared, we could take advantage of them, at the same time protecting the packinghouse investment in that type of method which is declared by the Congress to be humane."

However, under the enforcement provisions of the bill, section 3, no agency of the Government may purchase livestock products from a processor which slaughters, or handles in connection with slaughtering, livestock by any methods other than any methods designated and approved by the Secretary of Agriculture pursuant to section 4.

Paragraph (c) of section 4 provides that some suitable means be provided for identifying the carcasses of animals inspected and passed under the Meat Inspection Act that have been slaughtered in accordance with the public policy declared in the bill. The Department anticipates that a suitable means of identifying such carcasses would be to publish periodically in the Federal Register the identifying establishment numbers of those plants in which all animals are slaughtered and handled in accordance with the bill and whose affiliated plants also slaughter and handle animals in like manner. The identifying establishment number appears on each meat inspection

brand and label. This would give notice to the public and to all governmental agencies as to the product then in commerce which could be purchased by agencies of the Federal Government in compliance with section 3 of the bill.

Section 5 providing for the appointment of an advisory committee is in accord with the Department's position, although it would be preferred that some flexibility in membership be allowed in the discretion of the Secretary as events may dictate.

This Department has a long and enviable record on the subject of humane handling of animals. Our control programs administer laws that have this objective and our laboratories are models for handling and care of laboratory animals. We have opposed humane slaughtering legislation of the kind contemplated in H. R. 8308 and its companion bill, S. 1497, not because of insensitivity to the need for care in handling animals, but because legislation such as that represented by these bills would impose unrealistic restrictions and impose on this Department impractical responsibilities.

We have favored legislation such as that contemplated in S. 1213, because under that bill the research, investigation, and experimentation can be entirely objective and decisions could be entirely responsive to scientific findings. We are of the opinion that under such circumstances there would be more encouragement for industry to make such changes as might be necessary in slaughtering methods with full confidence that the changes would accomplish a reasonable objective.

The Bureau of the Budget advises that there is no objection to the submission of this voluntary report.

Sincerely yours,

TRUE D. MORSE, *Acting Secretary.*

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE,
Washington, April 23, 1958.

HON. ALLEN J. ELLENDER,
*Chairman, Committee on Agriculture and Forestry,
United States Senate, Washington 25, D. C.*

DEAR MR. CHAIRMAN: We take the liberty of inviting your attention to this Department's interest—from the point of view of the enforcement of the Federal Food, Drug, and Cosmetic Act—in certain humane-slaughter bills now pending before your committee, i. e., H. R. 8308, as passed by the House; and S. 1497, together with an amendment thereto in the nature of a substitute intended to be proposed by Mr. Humphrey.

The purpose of these bills is to bring about humane methods of slaughter where not already used. H. R. 8308 and the proposed amendment to S. 1497 would do so by (1) declaring it to be the policy of the United States that the slaughtering of livestock (and the handling of livestock in connection with slaughter) shall be carried out only by humane methods; (2) stating a congressional finding that either of two described methods is humane; (3) permitting procurement of livestock products by Federal agencies only if the slaughterer or processor concerned uses methods designated and approved by the Secretary of Agriculture; and (4) requiring the Secretary to designate

methods of which he approves with respect to the various species of livestock. S. 1497, as introduced, would make unlawful, in connection with interstate commerce, the slaughter of livestock or poultry by any method other than an "approved method," as well as the painful handling of the animal in connection with slaughter.

The two methods of slaughter declared to be humane by H. R. 8308 and by the proposed amendment to S. 1497 are (1) rendering the animal insensible to pain by a single blow or gunshot "or an electrical, chemical, or other means" that is rapid and effective, before the animal is shackled, hoisted, thrown, cast, or cut, and (2) certain methods of ritual slaughter. In the case of S. 1497 as introduced, an approved method of slaughter would be, in addition to ritual slaughter, any method which renders the animal insensible, before bleeding or slaughter, by "mechanical, electrical, chemical, or other means determined by the Secretary (of Agriculture) to be rapid, effective, and humane," except that, in the case of poultry, instantaneous decapitation would also be an approved method.

Electrical means for stunning or killing animals can result in the formation of toxic substances in the tissues of the beasts so treated. In that event, such tissue would be adulterated and unfit for human consumption. Furthermore, the killing of a beast or rendering it unconscious through the administration of drugs or chemicals can result in residues of these substances in the edible portions of the animal, thus causing those portions to be adulterated. Adulteration could, perhaps, also result from some of the "other means" that might be authorized by rendering the animal insensible.

We, therefore, in the interest of the public health, recommend that the proposed legislation, if favorably considered by your committee, be amended to make clear that the legislation is not to be construed to exempt any meat or meat food product, or any person, from any requirement imposed by or pursuant to the Federal Food, Drug, and Cosmetic Act (21 U. S. C. 301 et seq.) or the Meat Inspection Act (21 U. S. C. 71 et seq.), and that any means designated or approved by the Secretary of Agriculture as appropriate for rendering animals insensible must not cause the edible portion of the animals to be adulterated or otherwise unfit for human consumption within the meaning of those acts.

In making this suggestion, we should like to make clear our belief that there are methods of slaughter which are practicable and humane and will have no adverse effect upon the wholesomeness of the edible flesh of the slaughtered animal and that the adoption of the above-suggested amendment would not obstruct achievement of the commendable objective of these bills.

Time has not permitted submission of this report to the Bureau of the Budget for advice as to the relationship of this bill to the program of the President.

Sincerely yours,

ELLIOT L. RICHARDSON,
Acting Secretary.

DEPARTMENT OF AGRICULTURE,
OFFICE OF THE GENERAL COUNSEL,
Washington, D. C., May 13, 1958.

HON. ALLEN J. ELLENDER

*Chairman, Committee on Agriculture and Forestry,
United States Senate.*

DEAR SENATOR ELLENDER: This is with reference to your request for our views as to whether H. R. 8308 contains a complete exemption for the practices of religious faiths with respect to slaughter and handling in connection with slaughter of livestock.

Section 2 of the bill contains a congressional finding that the following method of slaughter is humane:

"(b) by slaughtering in accordance with the ritual requirements of the Jewish faith or any other religious faith that prescribes a method of slaughter whereby the animal suffers loss of consciousness by anemia of the brain caused by the simultaneous and instantaneous severance of the carotid arteries with a sharp instrument."

In view of such finding this method apparently would conform to the public policy set forth in section 1 and meet all of the requirements of the bill. The situation is somewhat different with respect to any religious slaughter method other than the one described in section 2 (b). There is no specific finding with respect to the humanness of such other methods. However, section 6 of the bill provides that:

"Nothing in this Act shall be construed to prohibit, abridge, or in any way hinder the religious freedom of any person or group to slaughter and prepare for the slaughter of livestock in conformity with the practices and requirements of his religion."

The scope of this provision is not clear. While it could be contended that the section fully exempts all religious slaughter methods, in view of the fact that the finding in section 2 (b) is confined to a particular method, it would appear that section 6 may be intended to exempt from the provisions of the bill religious slaughter methods, other than the one specified in section 2 (b), only if the livestock products are for the use of the members of the religious group.

The language of section 2 (b) indicates that the religious method described therein as being humane applies to slaughter only and does not encompass the handling of animals in connection with slaughter. The discussion on the floor of the House of Representatives concerning the provisions of this section also indicated that the described method is not intended to apply to such handling (104 Congressional Record 1430, daily edition, February 4, 1958). Section 6 apparently would exempt from the provisions of the bill the handling of animals in connection with slaughter in accordance with the requirements of a religious faith when the livestock products are for the use of the members of the religious faith. For the reasons heretofore indicated, however, there is serious question whether the exemption would extend to the handling of livestock in connection with slaughter when the livestock products are intended for other purposes.

Sincerely yours,

R. L. FARRINGTON,
General Counsel.

Calendar No. 1759

85TH CONGRESS
2D SESSION

H. R. 8308

[Report No. 1724]

IN THE SENATE OF THE UNITED STATES

FEBRUARY 5, 1958

Read twice and referred to the Committee on Agriculture and Forestry

JUNE 18, 1958

Reported by Mr. ELLENDER, with amendments

[Strike out all after the enacting clause and insert the part printed in italic]

AN ACT

To establish the use of humane methods of slaughter of livestock as a policy of the United States, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Congress finds that the use of humane methods
4 in the slaughter of livestock prevents needless suffering;
5 results in safer and better working conditions for persons
6 engaged in the slaughtering industry; brings about improve-
7 ment of products and economies in slaughtering operations;
8 and produces other benefits for producers, processors, and
9 consumers which tend to expedite an orderly flow of live-
10 stock and livestock products in interstate and foreign com-
11 merce. It is therefore declared to be the policy of the

1 United States that the slaughtering of livestock and the
2 handling of livestock in connection with slaughter shall be
3 carried out only by humane methods.

4 SEC. 2. No method of slaughtering or handling in con-
5 nection with slaughtering shall be deemed to comply with
6 the public policy of the United States unless it is humane.
7 Either of the following two methods of slaughtering and
8 handling are hereby found to be humane:

9 (a) in the case of cattle, calves, horses, mules,
10 sheep, swine, and other livestock, all animals are ren-
11 dered insensible to pain by a single blow or gunshot
12 or an electrical, chemical or other means that is rapid
13 and effective, before being shackled, hoisted, thrown,
14 east, or cut; or

15 (b) by slaughtering in accordance with the ritual
16 requirements of the Jewish faith or any other religious
17 faith that prescribes a method of slaughter whereby the
18 animal suffers loss of consciousness by anemia of the
19 brain caused by the simultaneous and instantaneous
20 severance of the carotid arteries with a sharp instrument.

21 SEC. 3. The public policy declared herein shall be taken
22 into consideration by all agencies of the Federal Government
23 in connection with all procurement and price support pro-
24 grams and operations and after December 31, 1959, no
25 agency or instrumentality of the United States shall contract

1 for or procure any livestock products produced or processed
2 by any slaughterer or processor which in any of its plants
3 or in any plants of any slaughterer or processor with which
4 it is affiliated slaughters or handles in connection with
5 slaughter livestock by any methods other than methods
6 designated and approved by the Secretary of Agriculture
7 (hereinafter referred to as the Secretary) pursuant to sec-
8 tion 4 hereof: *Provided*, That during the period of any na-
9 tional emergency declared by the President or the Con-
10 gress, the limitations on procurement required by this section
11 may be modified by the President to the extent determined
12 by him to be necessary to meet essential procurement needs
13 during such emergency. For the purposes of this section a
14 slaughterer or processor shall be deemed to be affiliated with
15 another slaughterer or processor if it controls, is controlled
16 by, or is under common control with, such other slaughterer
17 or processor. After December 31, 1959, each supplier from
18 which any livestock products are procured by any agency
19 of the Federal Government shall be required by such agency
20 to make such statement of eligibility under this section to
21 supply such livestock products as, if false, will subject the
22 maker thereof to prosecution, title 18, United States Code,
23 section 287.

24 SEC. 4. In furtherance of the policy expressed herein
25 the Secretary is authorized and directed—

1 (a) to conduct, assist, and foster research, investi-
2 gation, and experimentation to develop and determine
3 methods of slaughter and the handling of livestock in
4 connection with slaughter which are practicable with
5 reference to the speed and scope of slaughtering opera-
6 tions and humane with reference to other existing
7 methods and then current scientific knowledge;

8 (b) on or before June 30, 1958, and at such times
9 thereafter as he deems advisable, to designate methods
10 of slaughter and of handling in connection with slaughter
11 which, with respect to each species of livestock, con-
12 form to the policy stated herein. If he deems it more
13 effective, the Secretary may make any such designation
14 by designating methods which are not in conformity with
15 such policy. Designations by the Secretary subsequent
16 to July 1, 1959, shall become effective for purposes
17 of section 3 hereof 180 days after their publication in
18 the Federal Register;

19 (c) to provide suitable means of identifying the
20 carcasses of animals inspected and passed under the
21 Meat Inspection Act (21 U. S. C. 71 and the following)
22 that have been slaughtered in accordance with the
23 public policy declared herein.

24 SEC. 5. To assist in implementing the provisions of sec-
25 tion 4, the Secretary is authorized to establish an advisory

1 committee. The functions of the Advisory Committee shall
2 be to consult with the Secretary and other appropriate
3 officials of the Department of Agriculture and to make
4 recommendations relative to (a) the research authorized
5 in section 4; (b) obtaining the cooperation of the public;
6 producers, farm organizations, industry groups, humane asso-
7 ciations, and Federal and State agencies in the furtherance
8 of such research and the adoption of improved methods;
9 and (c) the designations required by section 4. The Com-
10 mittee shall be composed of twelve members, of whom one
11 shall be an officer or employee of the Department of Agri-
12 culture designated by the Secretary (who shall serve as
13 Chairman); two shall be representatives of national organi-
14 zations of slaughterers; one shall be a representative of the
15 trade-union movement engaged in packinghouse work; one
16 shall be a representative of the general public; two shall
17 be representatives of livestock growers; one shall be a repre-
18 sentative of the poultry industry; two shall be representa-
19 tives of national organizations of the humane movement; one
20 shall be a representative of a national professional veterinary
21 organization; and one shall be a person familiar with the
22 requirements of religious faiths with respect to slaughter.
23 The Department of Agriculture shall assist the Committee
24 with such research personnel and facilities as the Depart-

1 ment can make available. Committee members other than
2 the Chairman shall not be deemed to be employees of the
3 United States and are not entitled to compensation but the
4 Secretary is authorized to allow their travel expenses and
5 subsistence expenses in connection with their attendance at
6 regular or special meetings of the Committee. The Commit-
7 tee shall meet at least once each year and at the call of the
8 Secretary and shall from time to time submit to the Seere-
9 tary such reports and recommendations with respect to new
10 or improved methods as it believes should be taken into con-
11 sideration by him in making the designations required by
12 section 4 and the Secretary shall make all such reports avail-
13 able to the public.

14 SEC. 6. Nothing in this Act shall be construed to pro-
15 hibit, abridge, or in any way hinder the religious freedom
16 of any person or group to slaughter and prepare for the
17 slaughter of livestock in conformity with the practices and
18 requirements of his religion.

19 *That the Congress finds that the use of inhumane methods in*
20 *the slaughtering of livestock and the handling of livestock*
21 *in connection with slaughter is contrary to the public inter-*
22 *est in that it causes needless suffering, has an adverse effect*
23 *upon public acceptance of the products of livestock, and is*
24 *detrimental to the interests of producers. It is, therefore,*
25 *declared to be the policy of the United States that the slaugh-*

1 tering of livestock and the handling of livestock in connec-
2 tion with slaughter be carried out by humane methods. As
3 used in this Act the term "livestock" shall be deemed to in-
4 clude poultry.

5 SEC. 2. To aid in effectuating such policy the Secretary
6 of Agriculture is authorized and directed (a) to conduct,
7 assist, and foster research for the development and determina-
8 tion of methods of slaughter of livestock and of handling
9 livestock in connection with slaughter which are humane in
10 the light of current scientific knowledge and practicable with
11 reference to the necessary speed and scope of slaughtering
12 operations, (b) to promote and encourage the use of humane
13 methods of slaughter of livestock and handling of livestock
14 in connection with slaughter by disseminating the results of
15 the scientific research provided for in subparagraph (a) of
16 this section and by working with slaughterers, humane asso-
17 ciations, and other interested persons to accomplish such pur-
18 poses, (c) to report to the Congress on January 1, 1959, and
19 annually thereafter concerning actions taken pursuant to this
20 Act, and (d) to report to the Congress changes, if any, and
21 the extent thereof, in the methods of slaughter adopted by the
22 slaughtering industry, together with such recommendations on
23 the need for legislative action as the Secretary may deter-
24 mine are warranted in the light of scientific research and
25 developments in the industry. Within two years after the

1 enactment of this Act the Secretary shall submit to Congress
2 a complete legislative proposal setting out those methods of
3 slaughter found to be humane and requiring their adoption
4 by slaughterers.

5 SEC. 3. The Secretary is authorized to establish an ad-
6 visory committee to assist in effectuating the provisions of sec-
7 tion 2. The functions of the committee shall be to consult with
8 the Secretary and other officials of the Department of Agri-
9 culture and to make recommendations to the Department
10 relative to the responsibilities and functions vested in the
11 Secretary under section 2. The committee shall be appointed
12 by the Secretary and shall include in its membership members
13 from the following fields of interest: Humane treatment of
14 animals, the production of livestock, the slaughter of livestock
15 including ritualistic slaughter, animal husbandry and
16 veterinary medicine. The chairman of the committee shall be
17 an official of the Department of Agriculture designated by
18 the Secretary. Committee members other than the chairman
19 shall not be deemed to be employees of the United States
20 and shall not be entitled to compensation, but the Secretary
21 is authorized to allow reasonable travel expenses and sub-
22 sistence expenses in connection with their attendance at
23 regular or special meetings for the purposes of the Act. The
24 committee shall meet at least once each year at the call of the
25 Secretary or the chairman.

1 *SEC. 4. There are hereby authorized to be appropriated*
2 *such sums as may be necessary to carry out the provisions*
3 *of this Act.*

Amend the title so as to read: "A bill to promote and encourage humane slaughtering of livestock and poultry."

Passed the House of Representatives February 4, 1958.

Attest:

RALPH R. ROBERTS,

Clerk.

AN ACT

To establish the use of humane methods of slaughter of livestock as a policy of the United States, and for other purposes.

FEBRUARY 5, 1958

Read twice and referred to the Committee on
Agriculture and Forestry

JUNE 18, 1958

Reported with amendments

Daily Digest

HIGHLIGHTS

Both Houses heard President Garcia, of the Philippines.

Senate worked on tax extension, rejecting amendment to make certain reductions in personal income and excise taxes.

House passed omnibus river and harbor and flood control bill, D. C. appropriations, and worked on public works appropriation bill.

Senate

Chamber Action

Routine Proceedings, pages 10429-10447

Bills Introduced: 7 bills and 1 resolution were introduced, as follows: S. 4026-4032; and S. Res. 315.

Page 10430

Bills Reported: Reports were made as follows:

S. 3680, providing for participation of the U. S. in the World Science-Pan Pacific Exposition to be held at Seattle in 1961, with amendment (S. Rept. 1721);

S. 1790, to fix the boundary of Everglades National Park, Fla., with amendments (S. Rept. 1722);

H. R. 11424, to extend the authority of the Secretary of Agriculture to extend special livestock loans, with amendment (S. Rept. 1723);

H. R. 8308, relating to humane methods of slaughter of livestock and poultry, with amendments (S. Rept. 1724);

H. R. 11058, to amend the Agricultural Adjustment Act with regard to tobacco acreage allotments (S. Rept. 1725);

H. R. 12164, to permit the use of Federal surplus foods in nonprofit summer camps for children (S. Rept. 1726); and

S. Con. Res. 94, expressing indignation of certain leaders of the recent revolt in Hungary, with amendments (S. Rept. 1727).

Pages 10429-10430

Bills Referred: 15 House-passed bills and 1 House-passed concurrent resolution were referred to appropriate committees.

Pages 10427-10428

Legislative Program: Majority leader announced that when Senate completes consideration of H. R. 12695, corporate and excise tax extension, it will consider S. 3817, program for development of mineral resources of U. S., and it is also anticipated that following the tax bill the calendar will be called.

Pages 10430-10431

Philippines President: Senate attended joint meeting with House to hear an address by President Garcia, of the Republic of the Philippines. Pages 10431, 10487-10490

Corporate and Excise Tax Extension: Senate considered H. R. 12695, to provide a 1-year extension of the existing corporate normal-tax rate and certain excise-tax rates, rejecting by 23 yeas to 65 nays (motion to reconsider tabled) Douglas amendment (as substitute for committee amendment in nature of substitute) to cut personal income taxes by \$50 per person, reduce or repeal certain excise taxes, and give tax relief to small business.

Pending at adjournment was McNamara amendment to repeal taxes on autos and auto parts and accessories, and to reduce tax on trucks and buses.

Pages 10447-10479

Confirmations: Senate confirmed nomination of Edward T. Wailes, of D. C., to be Ambassador to Iran, along with numerous nominations in the Army, Navy, Marine Corps, and Air Force.

Pages 10485-10486

Program for Thursday: Senate adjourned at 6:35 p. m. until noon Thursday, June 19, when it will continue consideration of H. R. 12695, corporate and excise tax extension.

Pages 10447-10479, 10485

Committee Meetings

(Committees not listed did not meet)

COMMITTEE BUSINESS

Committee on Agriculture and Forestry: Committee, in executive session, ordered favorably reported with an amendment in the nature of a substitute bill H. R. 8308, relating to humane methods of slaughter of livestock and poultry (substitute amendment would provide for a study of this subject by the Department of Agriculture and a report to the Congress on its findings within 2

years). Committee also approved with amendment H. R. 11424, to extend the authority of the Secretary of Agriculture to extend special livestock loans, and without amendment H. R. 11058, to amend the Agricultural Adjustment Act with regard to tobacco acreage allotments, and H. R. 12164, to permit the use of Federal surplus foods in nonprofit summer camps for children.

Committee approved watershed projects at Canoe Creek, Ky., and Wild Rice Creek, N. Dak. and S. Dak.

Committee began consideration of proposed long-range farm program bill and bills relating to increased industrial uses of agricultural commodities, but took no actions thereon, and will continue their consideration tomorrow.

APPROPRIATIONS—DEFENSE

Committee on Appropriations: Subcommittee continued its hearings on H. R. 12738, fiscal 1959 appropriations for the Department of Defense, with testimony from Secretary James H. Douglas, Chief of Staff Gen. Thomas D. White, and Assistant Secretary (Financial Management) Lyle S. Garlock, all of the Air Force.

Hearings continue Friday, June 20.

APPROPRIATIONS—D. C.

Committee on Appropriations: Subcommittee concluded its hearings on H. R. 12948, fiscal 1959 appropriations for the District of Columbia, after hearing testimony in morning and afternoon sessions from several officials of the D. C. government, and testimony in an evening session from numerous public witnesses.

DEFENSE DEPARTMENT REORGANIZATION

Committee on Armed Services: Committee continued its hearings on H. R. 12541, Defense Department Reorganization Act of 1958, with further testimony from Secretary of Defense Neil H. McElroy and Chairman of the Joint Chiefs of Staff Gen. Nathan Twining. Testimony was also received from Charles Coolidge, former Special Assistant to the Secretary of Defense for Reorganization.

Hearings continue tomorrow.

TAXATION

Committee on Finance: Committee continued its executive consideration of H. R. 8381, to amend the Internal Revenue Code of 1954 so as to correct unintended benefits and hardships, but made no announcements, and will meet again tomorrow.

LONG-RANGE MINERALS PROGRAM

Committee on Interior and Insular Affairs: The Minerals, Materials, and Fuels Subcommittee continued its hearings on S. 3816, providing for payments as incen-

tives for the production of certain minerals, and S. 3892, Domestic Minerals Stabilization Act of 1958, having as its witnesses Orville Larsen, International Union of Mine, Mill, and Smelter Workers; Clyde Flynn, representing Domestic Fluorspar Producers; Charles Segerstrom, American Tungsten Association; and J. Carson Adkerson, Manganese Producers Association.

AVIATION

Committee on Interstate and Foreign Commerce: The Aviation Subcommittee concluded its hearings on S. 3880, to establish an independent Federal aviation agency to effectively regulate the uses of airspace over the U. S., with testimony from J. B. Hartranft, Aircraft Owners & Pilots Association, and William K. Lorton, National Business Aircraft Association, Inc.

MERCHANT MARINE MATTERS

Committee on Interstate and Foreign Commerce: Committee continued its hearings on merchant marine bills as follows:

S. 3919, to amend certain sections of the Merchant Marine Act to implement the pledge of faith clause—with testimony from Clarence G. Morse, Federal Maritime Administrator; T. B. Westfall, Grace Line, Inc.; and Arthur D. Schulte, Lehman Bros., New York;

S. 2568, to amend the Merchant Marine Act to encourage construction of vessels and maintenance of shipyards—with testimony from Clarence G. Morse; Alvin Shapiro, American Merchant Marine Institute, accompanied by Leslie C. Krusen, of Philadelphia; and Rear Adm. Albert G. Mumma, Chief, Bureau of Ships;

S. 3361, to promote the national merchant marine policy by providing for the construction of 30 merchant vessels—with testimony from Senator Butler, Clarence G. Morse, and Rear Adm. Albert G. Mumma; and

S. 3499, to amend the vessel admeasurement laws with regard to water ballast space—with testimony from Senator Long; Representative Willis; James W. Gulick, Bureau of Customs, Internal Revenue Service; John B. Laborde, of New Orleans; and William P. McClure, of Washington, D. C.

BANKRUPTCY

Committee on the Judiciary: Subcommittee resumed its hearings on H. R. 106, authorizing the courts of bankruptcy to determine the dischargeability and nondischargeability of provable debts, with testimony from Representative Nimitz; Murray Drabkin, staff member of House Committee on the Judiciary; Warren Olney, Director, and Edward L. Covey, both of the Administrative Office of the U. S. Courts; former Representative Frank Kniffin, president, Association of Referees in Bankruptcy; Max Schwartz, committee on bankruptcy,

June 23, 1958

11. COTTON. Passed without amendment H. R. 11399, to authorize the Secretary to set the levels of price support for extra long-staple cotton at between 60 to 75 percent of parity. This bill will now be sent to the President. p. 10765
12. DEFENSE PRODUCTION. Passed without amendment H. R. 10969 (in place of a similar bill S. 3323), to extend the Defense Production Act for 2 years until June 30, 1960. This bill will now be sent to the President. pp. 10773-4
13. LIVESTOCK LOANS. Passed as reported H. R. 11424, to extend for 2 years, through July 14, 1961, the authority of the Secretary to extend or make supplementary advances to borrowers for special livestock loans. p. 10780
14. TOBACCO. Passed without amendment H. R. 11058, to reduce the acreage allotments of tobacco farmers who harvest more than one crop of tobacco in a year from the same acreage. This bill will now be sent to the President. p. 10780
15. NATURAL RESOURCES. Passed as reported S. 2517, to authorize the States to choose mineral lands in making selections in lieu of sections of public lands occupied before State claims were made. pp. 10781-3
16. SURPLUS FOODS. Passed without amendment H. R. 12164, to permit the donation of surplus foods to nonprofit summer camps for children without regard to the number of needy children actually enrolled. This bill will now be sent to the President. p. 10780
17. INSPECTION SERVICES. Passed without amendment S. 3873, to authorize the interchange of inspection services between executive agencies without reimbursement or transfer of funds. p. 10769
18. PROPERTY. Passed as reported S. 3142, to authorize the lease of Federal building sites until needed for actual construction. p. 10769
19. TRANSPORTATION. Passed as reported S. Res 303, to provide for a study of transportation policies in the United States by the Interstate and Foreign Commerce Committee, including the exemption provisions in the laws regulating transportation. p. 10773
20. MONOPOLIES. The Judiciary Committee ordered reported with amendment S. 11, to amend the Robinson-Patman Act to make price discrimination prima facie proof of violation of the law. p. D578
21. STATEHOOD. Began debate on H. R. 7999, to admit Alaska as a State. pp. 10766, 10786, 10803, 10804, 10804-10.
22. INFORMATION. At the request of Sen. Talmadge, passed over S. 921, to restrict the right of Federal officers to withhold information or records. p. 10765.
23. WATERSHEDS. At the request of Sen. Hruska, passed over H. R. 5497, to authorize Federal assistance for certain fish and wildlife development projects under the Watershed Protection and Flood Prevention Act. p. 10765
24. ONION FUTURES. At the request of Sen. Hruska, passed over H. R. 376, to prohibit trading in onion futures on commodity exchanges. p. 10765

25. FARMER COMMITTEES. At the request of Sen. Talmadge, passed over S. 1436, to amend various provisions of law regarding ASC committees, to provide for the administration of the farm program by farmer elected committees, etc. p. 1076
26. BUILDINGS. At the request of Sen. Hruska, passed over S. 3560, to authorize construction of a \$20 million Federal building in Memphis, Tenn. p. 10766
27. TEXTILES. At the request of Sen. Talmadge, passed over H. R. 469, to protect producers and consumers against misbranding and false advertising of the fiber content of textile fiber products. pp. 10766-7
28. MINERALS. At the request of Sen. Mansfield, passed over S. 3817, to encourage exploration for minerals with Federal aid. p. 10769
29. TRANSPORTATION. At the request of Sens. Talmadge and Hruska, passed over S. 3916, to extend for two years provisions of the Shipping Act of 1916 to allow continuation of existing dual-rate contract agreements. p. 10774
30. SMALL BUSINESS. At the request of Sen. Clark, passed over H. R. 7963, to extend the Small Business Act of 1953, and increase the SBA loan authority. p. 10775
31. REORGANIZATION. At the request of Sen. Talmadge, passed over S. Res. 297, to disapprove Reorganization Plan No. 1 of 1958, to merge the Office of Defense Mobilization and the Federal Civil Defense Administration. p. 10776
Sen. Potter commended the adverse report of the Government Operations Committee on S. Res. 297, and the evaluation of the proposed merger. p. 10802
32. HUMANE SLAUGHTER. At the request of Sen. Talmadge, passed over H. R. 8308, to require the use of humane methods in the slaughter of livestock and poultry. p. 10780
33. FOREIGN TRADE. Sen. Thurmond submitted amendments to H. R. 12591, the trade agreements extension bill, proposing to limit the extension to 2 years and to require Congressional assent to Presidential action reversing findings of the Tariff Commission. p. 10804
34. EXTENSION. Sen. Johnston inserted an editorial on the death of Dr. F. Franklin Poole, President of Clemson College, S. C. pp. 10783-4
35. RECLAMATION. Received from the Interior Department a report that the Bountiful, Utah, Water Subconservancy District, had applied for a loan of \$3,510,000, under the Small Reclamation Projects Act. p. 10747

ITEMS IN APPENDIX

36. FOREIGN AID. Rep. Green inserted an article, "Over \$63 Million in Foreign Aid Shared by Eight Oregon Communities." pp. A5696-7
37. COTTON. Extension of remarks of Sen. Sparkman urging aid for cotton farmers and inserting an article, "Cotton's Decline, Long Foreseen, Still Pains Many Dixie Farmers--Some Quit, Wind Up On City Relief Rolls; Others Find Pinch Profits Harder." pp. A5697-8
38. DAIRY INDUSTRY. Extension of remarks of Sen. Proxmire inserting 2 Grange organization resolutions in support of his bill, S. 2952. p. A5698

operation, and maintenance of artificial works for conducting water thereto as is required for the reclamation by the State of Florida or any political subdivision thereof or any drainage district organized under its laws of lands lying easterly of the eastern boundary of the park in township 54 south, ranges 31 and 32 east, township 55 south, ranges 32 and 33 east, and township 56 south, range 33 east. He shall grant said permission, however, only after a master plan for the drainage of said lands has been approved by the State of Florida and after finding that the approved plan has engineering feasibility and is so designed as to minimize disruptions of the natural state of the park. Any right-of-way granted pursuant to this section shall be revocable upon breach of the conditions upon which it is granted, which conditions shall also be enforceable in any other appropriate manner, and the grantee shall be obligated to remove its improvements and to restore the land occupied by it to its previous condition in the event of such revocation.

SEC. 7. The Secretary of the Interior is authorized to transfer to the State of Florida by quitclaim deed the land, water, and interests therein, previously acquired by the United States of America for Everglades National Park and not included within such park by section 1 of this act, such transfer to be in exchange for the conveyance by the State of Florida to the United States of all land, water, and interests therein, owned by the State within the boundary of the park as described in section 1 of this act: *Provided*, That exclusion of any land, water, and interests therein from the park boundary pursuant to section 1 of this act shall be dependent upon the contemporaneous conveyance by the State to the United States of all land, water, and interests therein, owned by the State within the park boundary described in section 1 of this act, including land, water, and interests therein, heretofore conveyed to the State for transfer to the United States for inclusion in Everglades National Park. The effectuation of the transfer provided for in this section shall be a condition precedent to the acquisition by the Secretary of any land, water, or interests therein held in private ownership within the boundaries set forth in section 1 of this act and outside the area designated in the act of October 10, 1949, except as such acquisition is by donation.

SEC. 8. There are hereby authorized to be appropriated such sums, but not more than \$2 million in all, as are required for the acquisition of land, water, and interests therein held in private ownership within the boundaries of Everglades National Park as fixed by section 1 of this act and outside the area described in the act of October 10, 1949.

Mr. DIRKSEN. Mr. President, I have only one question. I recall that for some time this bill has languished, either in the House or Senate. Some opposition developed because there were holders for value in this general area who had been doing some prospecting for mineral and oil resources. My information is that they are amply safeguarded in the bill, so I raise the question only for the purpose of eliciting any statement which the distinguished Senator from Florida [Mr. HOLLAND] or the distinguished Senator from Wyoming [Mr. O'MAHONEY] may wish to make on that point.

Mr. HOLLAND. Mr. President, I yield to the Senator from Wyoming if he desires to make a statement, although I am prepared to answer the question of the Senator from Illinois.

Mr. O'MAHONEY. I know of no one better qualified to make a statement on the bill than is the Senator from Florida.

Mr. HOLLAND. I thank the distinguished Senator.

The question did arise, as correctly stated by the Senator from Illinois, as to the length of time granted to owners of private properties which are to be brought within the park by this particular bill, for exploration of oil and minerals, and the time for production of oil and minerals, if any be discovered.

The committee decided, in its wisdom—and the two Senators from Florida, along with their colleagues from the House concerned with this matter, agreed with the committee—that the point was well taken, and that more time should be allowed. So if the distinguished Senator will look at pages 17 and 18 of the bill as reported, he will find that all owners were allowed until October 9, 1967, for exploration.

In the event that, by that date, any oil or other minerals should be discovered, they are allowed until such time as production shall be accomplished, for the removal of such oils and minerals.

The Senator will find another, still more ample provision in the bill. I refer to subparagraph (3), on page 18, on line 15, which I shall read into the RECORD to give even further assurance than that already stated:

(3) After the termination of the reserved rights of owners as set forth in subsections (1) and (2) of this section, a further reservation of the right to customary royalties, applying at the time of production, in any oil, gas or other minerals which may be produced from such land and water at any time before January 1, 1985, should production ever be authorized by the Federal Government or its assigns.

The committee report shows that the allowance made to owners under the amended provisions of the bill is unusually generous—as I believe to be the case.

For the information of the Senate, the committee has very carefully studied this subject, and has found—which I know to be true—that all the conservation groups in the country are agreeable to the passage of the bill, even though, as an unprecedented thing, it would permit an elimination of nearly 800,000 acres from the originally authorized park. However, none of the original objectives of the park will be harmed, or these great conservation groups would not have agreed to the passage of the bill.

Mr. DIRKSEN. I deem that an adequate safeguard, and I have no objection.

Mr. HOLLAND. I thank my distinguished friend from Illinois.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. HOLLAND. I yield.

Mr. O'MAHONEY. The Senate committee added an amendment with respect to the character of the regulations to be written by the National Park Service. The regulations were designed, and the bill was introduced, to protect the land within the park. The bill was amended in committee so as to include protection

of the rights granted to those who held mineral reservations. I am happy to say that that amendment, written in to the bill by the Senate committee, has today been adopted by the House.

Mr. HOLLAND. Mr. President, while I wish the bill to pass, and hope it will, I desire to inform the Senate that a few minutes ago the House passed a companion bill with the identical Senate amendments included. When it comes over to the Senate I shall ask unanimous consent to revert to this item and pass the House bill. For the present, I ask that the Senate bill, as amended, be considered and passed.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. HOLLAND subsequently said: Mr. President, I ask unanimous consent that the Senate recur to Senate bill 1790, which passed on the call of the calendar, in order that I may request the present consideration of House bill 6641, passed today, which is a bill on the same subject, and containing the identical language of the Senate committee amendments.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Florida? The Chair hears none.

Mr. DIRKSEN. Mr. President, the Senator from Florida explained the situation earlier this afternoon. I understand that the House has passed a bill with the identical language of the Senate amendments, and the Senator from Florida merely wishes to have the Senate pass the House bill and indefinitely postpone consideration of the Senate bill.

Mr. HOLLAND. That is correct. Rather than have the House bill come here and the Senate bill go to the House, it seems to me that the appropriate thing to do is to pass the House bill and indefinitely postpone the Senate bill, which was passed earlier in the day, with the explanation that the Senate had just been informed that the House had acted and adopted language of the Senate committee amendments, but that a little time would be required to prepare the message.

Mr. President, I ask unanimous consent that the vote by which Senate bill 1790 was passed on the call of the calendar be reconsidered.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOLLAND. I now ask for the present consideration of House bill 6641.

The PRESIDING OFFICER. The Chair lays before the Senate a bill coming over from the House of Representatives, which will be stated by title for the information of the Senate.

The bill (H. R. 6641), to fix the boundary of Everglades National Park, Fla., to authorize the Secretary of the Interior to acquire land therein, and to provide for the transfer of certain land not included within said boundary,

and for other purposes, was read twice by its title.

The PRESIDING OFFICER. Is there objection to the present consideration of House bill 6641?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 1790 will be indefinitely postponed.

Mr. HOLLAND. Mr. President, I thank the Presiding Officer and the acting majority leader. I understand that all this had been agreed upon previously by the majority and minority leaders.

EXTENSION OF SPECIAL LIVESTOCK LOANS

The Senate proceeded to consider the bill (H. R. 11424) to extend the authority of the Secretary of Agriculture to extend special livestock loans, and for other purposes, which had been reported from the Committee on Agriculture and Forestry, with an amendment, at the beginning of line 4, to strike out "(12 U. S. C. 114 8a (c))" and insert "(12 U. S. C. 1148a-2 (c))."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 8308), to establish the use of humane methods of slaughter of livestock as a policy of the United States, and for other purposes, was announced as next in order.

Mr. TALMADGE. I ask that the bill be passed over, because it is not appropriate for consideration on a call of the calendar.

The PRESIDING OFFICER. The bill will be passed over.

TOBACCO ACREAGE ALLOTMENTS

The bill (H. R. 11058) to amend section 313 (g) of the Agricultural Adjustment Act of 1938, as amended, relating to tobacco acreage allotments was considered, ordered to a third reading, read the third time, and passed.

Mr. COOPER. Mr. President, I ask unanimous consent to have printed in the RECORD a statement regarding the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR COOPER

H. R. 11058 is identical to S. 3380, which I introduced in the Senate for myself and my colleague, Senator MORTON.

H. R. 11058 was introduced in the House by my colleague from Kentucky, Representative JOHN WATTS. As it has passed the House by a unanimous vote it is substituted for S. 3380. The bill has now been approved unanimously by the Senate Agriculture Committee and I ask that the Senate pass the bill.

Its purpose is to carry out the spirit and, I am sure, the intent of the tobacco price support and production control program. Its passage is necessary because a limited number of tobacco growers have followed the practice of selling a second crop of inferior

tobacco—termed "sucker" tobacco, from the same acreage allotment which had produced a first crop of tobacco. The bill would discourage and, I hope, end this practice by reducing the next allotment by an amount equivalent to the acreage from which more than one crop of tobacco was grown and harvested.

The bill has the support of farm organizations and tobacco farmers themselves. In fact, I know of no opposition to the bill.

Mr. JOHNSTON of South Carolina. Mr. President, I ask unanimous consent to have printed in the RECORD a statement regarding the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR JOHNSTON—EXPLANATION OF H. R. 11058

The purpose of this bill is to discourage the harvesting and marketing of a sucker crop by providing that if in any calendar year more than one crop of tobacco is grown from either the same tobacco plants or different tobacco plants from the same tobacco acreage, the acreage allotment next established for the farm shall be reduced by an amount equivalent to the acreage from which more than one crop of tobacco was grown and harvested. When tobacco is transplanted early in the spring, has favorable growing conditions, matures and is harvested early, and favorable growing conditions continue until late in the fall, some farmers are able to harvest a second crop of tobacco from the same acreage. This second picking is usually called a "sucker crop." Prior to 1957 these conditions occurred only in relatively isolated instances. The volume of tobacco which was added to the market by these two crops was not considered of any significance.

In 1957, however, growing conditions were so favorable in a large portion of the burley belt that a substantially larger acreage of suckers was harvested. It has been established that from 5 to 15 million pounds of burley suckers were harvested and marketed last year. This contributes to the present supply of burley tobacco, and will be taken into consideration in establishing marketing quotas and acreage allotments for the next season.

This bill would discourage the harvesting and marketing of a sucker crop by penalizing the individual, rather than by distributing the penalty among all farmers.

USE OF SURPLUS FOODS IN NON-PROFIT SUMMER CAMPS FOR CHILDREN

The bill (H. R. 12164) to permit use of Federal surplus foods in nonprofit summer camps for children was considered, ordered to a third reading, read the third time, and passed.

Mr. JOHNSTON of South Carolina. Mr. President, I ask unanimous consent to have printed in the RECORD a statement regarding the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR JOHNSTON—EXPLANATION OF H. R. 12164

The purpose of this bill is to clarify the law relating to the authority of the Secretary of Agriculture to donate surplus food commodities to nonprofit children's summer camps. Under existing provisions of law nonprofit school lunch programs are eligible to receive surplus food commodities and the Department has been following the general policy that nonprofit summer camps are an extension of the school activity and there-

fore should also be eligible to receive surplus foods. This bill would leave no doubt that summer camps for children which are operated on a nonprofit basis have the same sort of eligibility to receive surplus foods as do nonprofit school lunch programs.

The Department reports that under current donation authorities nonprofit school lunch programs are eligible to receive surplus commodities on the basis of the total number of children eating in the lunchroom while nonprofit institutions are eligible to receive such foods only to the extent of the number of needy persons served by the institutions. Nonprofit summer camps for children have been obtaining surplus foods on the basis of the total number of children in the camp under the assumption that all of these children were eligible by virtue of their eligibility under the school lunch program during the school term.

Since nonprofit summer camps for children are not specifically mentioned in the statutes and since it is questionable whether a large number of such camps can properly be classed as a summer extension of such operations, it may become necessary that such camps be classified within the other institutional category. This would result in such camps receiving surplus foods only to the extent that they can demonstrate that needy children are being served.

The same children that attend the schools are in attendance at the camps. Many charitable, welfare, and other social organizations conduct these camps, including civic groups, 4-H clubs, YMCA, YWCA, Boy Scouts, Girl Scouts, etc.

The committee believes that nonprofit summer camps for children should be treated in the same manner as nonprofit school lunch programs.

CONCURRENT RESOLUTION PASSED OVER

The concurrent resolution (H. Con. Res. 332) relative to the establishment of plans for the peaceful exploration of outer space was announced as next in order.

Mr. CLARK. Mr. President, I ask that the concurrent resolution be passed over, because it is not appropriate for consideration on the call of the calendar.

The PRESIDING OFFICER. The concurrent resolution will be passed over.

BOSTON NATIONAL HISTORIC SITES COMMISSION

The Senate proceeded to consider the bill (H. R. 12088) extending the time in which the Boston National Historic Sites Commission shall complete its work, which had been reported from the Committee on Interior and Insular Affairs with an amendment, on page 1, line 11, after the word "years," where it appears the second time, to insert "Section 5 of the aforesaid joint resolution, as amended, is further amended by striking out '\$40,000' and by inserting in lieu thereof '\$60,000'."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

ARCH HURLEY-TUCUMCARI RECLAMATION PROJECT, NEW MEXICO

The Senate proceeded to consider the bill (S. 3469) to amend the act of July

July 22, 1958

- By Sen. Purtell, to grant the Tariff Commission authority to convert specific duties into ad valorem tariff rates (p. 13320);
- By Sen. Ervin, to require Tariff Commission investigations to include ascertaining export prices and U. S. wholesale prices, and to estimate the amount of imports which can be made without injury to U. S. producers (pp. 13332-3);
- By Sen. Humphrey, to direct the Tariff Commission to include the possibilities of alternative employment of facilities and workers in escape clause studies (pp. 13333-4); and
- By Sen. Javits, to add the study of adjustment assistance for small business to the topics to be investigated by the study commission (pp. 13334-5).

Rejected the following amendments: :

- By Sen. Payne, 34 to 57, to allow the Congress by majority votes to overrule Presidential action on a Tariff Commission recommendation (pp. 13304-12);
- By Sen. Magnuson, 44-46, to amend Section 22 of the Agricultural Adjustment Act to place responsibility for fact finding and administration of import limitations on the Secretary of Agriculture (pp. 13313-22), with a proviso by Sen. Proxmire to allow the President to admit additional quantities of certain products and charge the additional costs for price supports to the appropriations for the program aided by such additional imports (pp. 13317-18);
- By Sen. Purtell, to indicate the sense of Congress that quota limitations should be imposed where necessary (pp. 13330-2); and
- By Sen. Goldwater, to provide that Congress may terminate the authority granted in the bill at any time by concurrent resolution (pp. 13335-6).
- Sen. Pastore withdrew his amendment to provide for a differential tariff on cotton goods in recognition of the lower price at which surplus cotton is sold to foreign manufacturers, after stating that he brought up the amendment to bring this problem to the attention of Congress and the administration (pp. 13323-5).

14. FARM PROGRAM. Sen. Langer inserted a Farmers' Union analysis of S. 4071, the Senate farm bill, which argued that "This bill is unbelievably bad," and a letter from the Farm Bureau Federation supporting the bill. pp. 13289-91
15. MINERALS. The Interior and Insular Affairs Committee ordered reported without amendment S. 4146, to provide for stabilization payments for certain mineral producers (report to be held pending receipt of departmental report). p. D714
16. RECLAMATION. The Interior and Insular Affairs Committee ordered reported without amendment H. R. 8645, to amend the Reclamation Project Act regarding the repayment of contracts on reclamation projects. p. D715
17. APPROPRIATIONS. Agreed to the conference report on H. R. 13121, to authorize appropriations for the Atomic Energy Commission. This bill will now be sent to the President. pp. 13312-13
18. HUMANE SLAUGHTER. Sen. Humphrey submitted as a substitute amendment to H. R. 8308, the humane slaughter bill reported with amendments by the Senate Agriculture Committee, the language of the bill as it passed the House, and urged that such legislation be enacted. pp. 13261-2
19. FOREIGN AID. Sen. Talmadge inserted the statement of Spruille Braden before the Appropriations Committee urging reductions in the foreign aid and ICA appropriations. pp. 13269-72
- S. Res. 264, favoring the establishment of an International Development Ass'n, was made the pending business. p. 13351

20. STATEHOOD. Sen. Long inserted a La. Legislature resolution welcoming Alaska as the 49th State, and a news article on the efforts of a La. citizen in the passage of the Alaska statehood bill. p. 13259
Sen. Humphrey commended the activities of Ernest Gruening and Bob Bartlett in securing passage of the Alaska statehood bill. pp. 13276-8

21. LEGISLATIVE PROGRAM. Sen. Johnson announced that he expected S. 4071, the Senate farm bill, to be reached "about noon tomorrow," July 23. p. 13351

ITEMS IN APPENDIX

22. FOOD SUPPLY. Sen. Javits inserted B. L. Oser's, Food and Drug Research Laboratories, Inc., address, "The Food Industry in a Changing World," and stated that it "calls attention to the tremendously vital question of the capability of our earth to support the increase in population." pp. A6547-8
Extension of remarks of Rep. Sullivan urging enactment of food-stamp legislation and inserting tabulations covering the point of foreign donations of food to the needy overseas under Public Law 480 as compared to the "much reduced program of food distribution to help our own needy." pp. A6573-5
23. FOREIGN AID. Sen. Humphrey inserted an editorial, "Is Foreign Aid Unpopular?" p. A6550
24. TEXTILES. Rep. Smith, Miss., inserted an article in support of his bill, H. R. 469, which would require fiber content labeling of all textile products. pp. A6557-8
25. LIVESTOCK. Rep. Miller, Nebr., inserted various resolutions of the Nebraska Stock Growers Ass'n and stated that "the cattlemen of the country have been wise in resisting Government controls of any kind." pp. A6561-2
26. WOOL. Rep. Anderson inserted several telegrams from Mont. sheepmen concerning the "crisis" now facing their industry if the Wool Act is not extended. pp. A6567-8
27. FARM INCOME. Rep. Gubser commented on the increase in farmers' realized net income and stated that "these figures dramatically point up that Secretary Benson has been right in his insistence upon a free farm economy and a lessening of government regulation." p. A6572
28. ELECTRIFICATION. Sen. Neuberger inserted excerpts from an address by the Master of Oregon State Grange favoring the purpose of the proposed Columbia River Regional Power Corporation. p. A6581
29. TOBACCO. Sen. Cooper inserted his recent address before the Leaf Tobacco Exporters Ass'n discussing the importance of the tobacco industry, both in its domestic and foreign trade aspects. pp. A6581-3
30. FARM PROGRAM. Rep. Wainwright inserted an article, "America's Farm Problem," and stated that "I honestly believe that the article...is the sanest discussion of the fundamentals of the farm policy problem..." pp. A6596-7
31. PUBLIC LAW 480. Speech in the House of Rep. Judd opposing S. 3420, suggesting that the House committee report out "a simple bill to extend Public Law 480," and inserting a letter from the American Farm Bureau Federation opposing the new barter provisions and in some instances, "unwise uses" of the foreign currencies. pp. A6599-600

Calendar No. 1759

85TH CONGRESS
2D SESSION

H. R. 8308

IN THE SENATE OF THE UNITED STATES

JULY 22, 1958

Ordered to lie on the table and to be printed

AMENDMENT

(IN THE NATURE OF A SUBSTITUTE)

Intended to be proposed by Mr. HUMPHREY (for himself, Mr. NEUBERGER, Mr. PURTELL, Mr. CHURCH, Mr. FLANDERS, Mr. GREEN, Mr. LANGER, Mr. HENNINGS, Mr. HILL, Mr. KENNEDY, Mr. McNAMARA, Mr. MONRONEY, Mr. MORSE, Mr. MURRAY, Mr. PROXMIRE, Mr. REVERCOMB, Mr. SALTONSTALL, Mrs. SMITH of Maine, and Mr. SPARKMAN) to the bill (H. R. 8308) to establish the use of humane methods of slaughter of livestock as a policy of the United States, and for other purposes, viz: Strike out all after the enacting clause and insert in lieu thereof the following:

- 1 That the Congress finds that the use of humane methods
- 2 in the slaughter of livestock prevents needless suffering;
- 3 results in safer and better working conditions for persons
- 4 engaged in the slaughtering industry; brings about improve-
- 5 ment of products and economies in slaughtering operations;
- 6 and produces other benefits for producers, processors, and

1 consumers which tend to expedite an orderly flow of live-
2 stock and livestock products in interstate and foreign com-
3 merce. It is therefore declared to be the policy of the
4 United States that the slaughtering of livestock and the
5 handling of livestock in connection with slaughter shall be
6 carried out only by humane methods.

7 SEC. 2. No method of slaughtering or handling in con-
8 nection with slaughtering shall be deemed to comply with
9 the public policy of the United States unless it is humane.
10 Either of the following two methods of slaughtering and
11 handling are hereby found to be humane:

12 (a) in the case of cattle, calves, horses, mules,
13 sheep, swine, and other livestock, all animals are ren-
14 dered insensible to pain by a single blow or gunshot
15 or an electrical, chemical, or other means that is rapid
16 and effective, before being shackled, hoisted, thrown,
17 cast, or cut; or

18 (b) by slaughtering in accordance with the ritual
19 requirements of the Jewish faith or any other religious
20 faith that prescribes a method of slaughter whereby the
21 animal suffers loss of consciousness by anemia of the
22 brain caused by the simultaneous and instantaneous
23 severance of the carotid arteries with a sharp instrument.

24 SEC. 3. The public policy declared herein shall be taken

1 into consideration by all agencies of the Federal Government
2 in connection with all procurement and price support pro-
3 grams and operations and after December 31, 1959, no
4 agency or instrumentality of the United States shall contract
5 for or procure any livestock products produced or processed
6 by any slaughterer or processor which in any of its plants
7 or in any plants of any slaughterer or processor with which
8 it is affiliated slaughters or handles in connection with
9 slaughter livestock by any methods other than methods
10 designated and approved by the Secretary of Agriculture
11 (hereinafter referred to as the Secretary) pursuant to sec-
12 tion 4 hereof: *Provided*, That during the period of any
13 national emergency declared by the President or the Con-
14 gress, the limitations on procurement required by this section
15 may be modified by the President to the extent determined
16 by him to be necessary to meet essential procurement needs
17 during such emergency. For the purposes of this section a
18 slaughterer or processor shall be deemed to be affiliated with
19 another slaughterer or processor if it controls, is controlled
20 by, or is under common control with, such other slaughterer
21 or processor. After December 31, 1959, each supplier from
22 which any livestock products are procured by any agency
23 of the Federal Government shall be required by such agency
24 to make such statement of eligibility under this section to

1 supply such livestock products as, if false, will subject the
2 maker thereof to prosecution, title 18, United States Code,
3 section 287.

4 SEC. 4. In furtherance of the policy expressed herein
5 the Secretary is authorized and directed—

6 (a) to conduct, assist, and foster research, investi-
7 gation, and experimentation to develop and determine
8 methods of slaughter and the handling of livestock in
9 connection with slaughter which are practicable with
10 reference to the speed and scope of slaughtering opera-
11 tions and humane with reference to other existing
12 methods and then current scientific knowledge;

13 (b) on or before June 30, 1958, and at such times
14 thereafter as he deems advisable, to designate methods
15 of slaughter and of handling in connection with slaughter
16 which, with respect to each species of livestock, con-
17 form to the policy stated herein. If he deems it more
18 effective, the Secretary may make any such designation
19 by designating methods which are not in conformity
20 with such policy. Designations by the Secretary sub-
21 sequent to July 1, 1959, shall become effective for
22 purposes of section 3 hereof 180 days after their publi-
23 cation in the Federal Register;

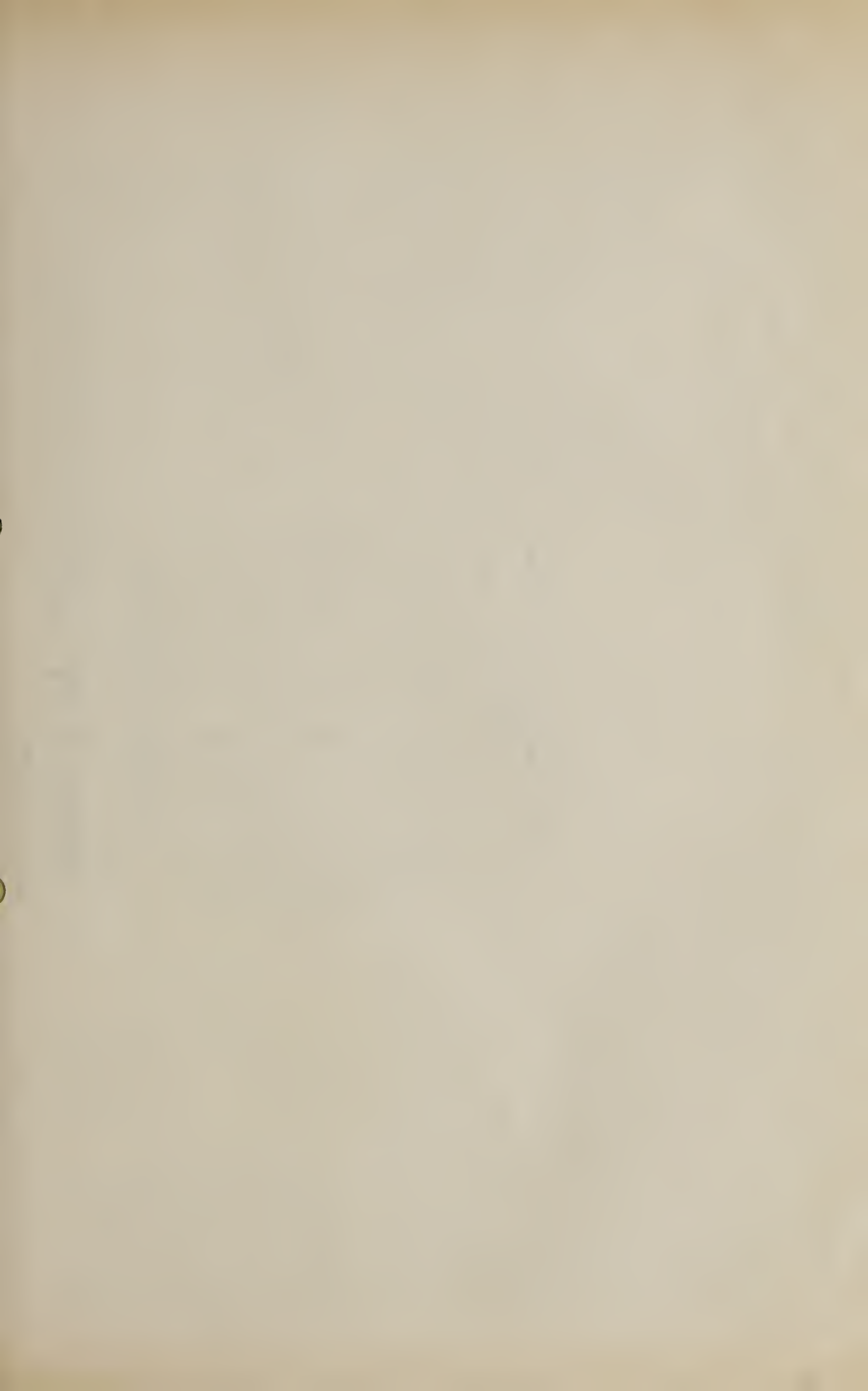
24 (c) to provide suitable means of identifying the
25 carcasses of animals inspected and passed under the

1 Meat Inspection Act (21 U. S. C. 71 and the following)
2 that have been slaughtered in accordance with the
3 public policy declared herein.

4 SEC. 5. To assist in implementing the provisions of sec-
5 tion 4, the Secretary is authorized to establish an advisory
6 committee. The functions of the Advisory Committee shall
7 be to consult with the Secretary and other appropriate
8 officials of the Department of Agriculture and to make
9 recommendations relative to (a) the research authorized
10 in section 4; (b) obtaining the cooperation of the public,
11 producers, farm organizations, industry groups, humane asso-
12 ciations, and Federal and State agencies in the furtherance
13 of such research and the adoption of improved methods;
14 and (c) the designations required by section 4. The Com-
15 mittee shall be composed of twelve members, of whom one
16 shall be an officer or employee of the Department of Agri-
17 culture designated by the Secretary (who shall serve as
18 Chairman) ; two shall be representatives of national organi-
19 zations of slaughterers; one shall be a representative of the
20 trade-union movement engaged in packinghouse work; one
21 shall be a representative of the general public; two shall
22 be representatives of livestock growers; one shall be a repre-
23 sentative of the poultry industry; two shall be representa-
24 tives of national organizations of the humane movement; one
25 shall be a representative of a national professional veterinary

1 organization; and one shall be a person familiar with the
2 requirements of religious faiths with respect to slaughter.
3 The Department of Agriculture shall assist the Committee
4 with such research personnel and facilities as the Depart-
5 ment can make available. Committee members other than
6 the Chairman shall not be deemed to be employees of the
7 United States and are not entitled to compensation but the
8 Secretary is authorized to allow their travel expenses and
9 subsistence expenses in connection with their attendance at
10 regular or special meetings of the Committee. The Commit-
11 tee shall meet at least once each year and at the call of the
12 Secretary and shall from time to time submit to the Secre-
13 tary such reports and recommendations with respect to new
14 or improved methods as it believes should be taken into
15 consideration by him in making the designations required
16 by section 4 and the Secretary shall make all such reports
17 available to the public.

18 SEC. 6. Nothing in this Act shall be construed to pro-
19 hibit, abridge, or in any way hinder the religious freedom
20 of any person or group to slaughter and prepare for the
21 slaughter of livestock in conformity with the practices and
22 requirements of his religion.



AMENDMENT

(IN THE NATURE OF A SUBSTITUTE)

Intended to be proposed by Mr. HUMPHREY (for himself, Mr. NEUBERGER, Mr. PORTTELL, Mr. CHURCH, Mr. FLANDERS, Mr. GREEN, Mr. LANGER, Mr. HENNINGS, Mr. HULL, Mr. KENNEDY, Mr. MCNAMARA, Mr. MONRONEY, Mr. MORSE, Mr. MURRAY, Mr. PROXMIRE, Mr. REVERCOMB, Mr. SALTONSTALL, Mrs. SMITH of Maine, and Mr. SPARKMAN) to the bill (H. R. 8308) to establish the use of humane methods of slaughter of livestock as a policy of the United States, and for other purposes.

July 22, 1958

Ordered to lie on the table and to be printed

H. R. 2824. An act to provide for the distribution of the land and assets of certain Indian rancherías and reservations in California, and for other purposes (Rept. No. 1874).

By Mr. EASTLAND, from the Committee on the Judiciary, with an amendment:

S. 3942. A bill for the relief of certain aliens distressed as the result of natural calamity in the Azores Islands, and for other purposes (Rept. No. 1875).

By Mr. MURRAY, from the Committee on Labor and Public Welfare, with an amendment.

S. 3694. A bill to amend the act of August 5, 1954 (68 Stat. 674), and for other purposes (Rept. No. 1876).

By Mr. CHAVEZ, from the Committee on Public Works, without amendment:

S. 2793. A bill to provide for the conveyance of a pumping station and related facilities of the Intracoastal Waterway System at Algiers, La., to the Jefferson-Plaquemines Drainage District, Louisiana (Rept. No. 1881);

S. 3712. A bill to authorize appropriations for continuing the construction of the Rama Road in Nicaragua (Rept. No. 1880);

H. R. 855. An act to designate the dam being constructed in connection with the Eagle Gorge Reservoir project on the Green River, Wash., as the "Howard A. Hanson Dam" (Rept. No. 1878);

H. R. 10426. An act to provide that the Federal-Aid Highway Act of 1956 (Public Law 627, 84th Congress, ch. 462, 2d sess.) shall be amended to increase the period in which actual construction shall commence on rights-of-way acquired in anticipation of such construction from 5 years to 7 years following the fiscal year in which such request is made (Rept. No. 1877); and

H. R. 11305. An act to authorize the appropriation of funds to finance the 1961 meeting of the Permanent International Association of Navigation Congresses (Rept. No. 1879).

By Mr. ANDERSON, from the Joint Committee on Atomic Energy, without amendment:

S. 4164. A bill to amend the Atomic Energy Act of 1954, as amended (Rept. No. 1882); and

S. 4165. A bill to amend the Atomic Energy Act of 1954, as amended (Rept. No. 1883).

By Mr. SPARKMAN, from the Committee on Foreign Relations, without amendment:

S. Con. Res. 109. Concurrent resolution to express the sense of the Congress on the establishment of the United Nations force (Rept. No. 1884).

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,
The following favorable reports of nominations were submitted:

By Mr. JOHNSTON of South Carolina, from the Committee on Post Office and Civil Service:

One hundred and twenty-four postmaster nominations.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HAYDEN (for himself and Mr. GOLDWATER):

S. 4167. A bill to authorize the lease of Págo tribal land to the National Science Foundation and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. TALMADGE:

S. 4168. A bill for the relief of Henry K. Lee (Hyun Kul); to the Committee on the Judiciary.

By Mr. EASTLAND:

S. 4169. A bill to amend the act of June 10, 1938, relating to participation by the United States in the International Criminal Police Organization; to the Committee on the Judiciary.

By Mr. MANSFIELD (for Mr. KENNEDY):

S. 4170. A bill for the relief of Gaetano Ruisi; to the Committee on the Judiciary.

By Mr. McNAMARA:

S. 4171. A bill for the relief of Penelope Carnavas Kafos; to the Committee on the Judiciary.

By Mr. YARBOROUGH:

S. 4172. A bill for the relief of Wong Gar Wah; and

S. 4173. A bill for the relief of Dr. Josephine Shou-Chen Chu; to the Committee on the Judiciary.

By Mr. CURTIS (for himself, Mr. HENNING, Mr. GREEN, Mr. MANSFIELD, Mr. TALMADGE, Mr. COOPER, Mr. JAVIER, and Mr. CASE of New Jersey):

S. 4174. A bill to authorize the distribution of copies of the CONGRESSIONAL RECORD to former members of Congress requesting such copies; to the Committee on Rules and Administration.

RESOLUTIONS

The following resolutions were submitted and referred as indicated:

INVESTIGATION OF CENTRAL INTELLIGENCE AGENCY

Mr. LANGER. Mr. President, I submit, for appropriate reference, a resolution providing for an investigation of the Central Intelligence Agency. I ask unanimous consent that a statement, prepared by me, relating to the resolution, be printed in the RECORD.

The PRESIDENT pro tempore. The resolution will be received and appropriately referred; and, without objection, the statement will be printed in the RECORD.

The resolution (S. Res. 338) was referred to the Committee on Foreign Relations, as follows:

Resolved, That (a) the Committee on Foreign Relations, or any duly authorized subcommittee thereof, is authorized and directed under sections 134 (a) and 136 of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction specified by rule XXV of the Standing Rules of the Senate, to make a full and complete study and investigation of the Central Intelligence Agency with a view to ascertaining whether that Agency is properly performing its functions and, particularly, whether it has failed to detect or to be aware of the circumstances which led to (1) the Suez crisis, (2) the difficulties encountered by Vice President Nixon during his recent visit to South America, and (3) the assassination of King Faisal of Iraq and the overthrow of his government.

(b) The committee shall report to the Senate at the earliest practicable date the results of its study and investigation, together with such recommendations as it may deem advisable.

SEC. 2. For the purpose of this resolution, the committee, from the date on which this resolution is agreed to, to January 31, 1959, inclusive, is authorized (1) to make such expenditures as it deems advisable, and (2) to employ on a temporary basis technical,

clerical, and other assistants and consultants.

SEC. 3. The expenses of the committee under this resolution, which shall not exceed \$——, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

The statement presented by Mr. LANGER is as follows:

STATEMENT BY SENATOR LANGER

I am submitting today a resolution requesting the Foreign Relations Committee of the Senate to conduct a thorough investigation of the Central Intelligence Agency based on the failure of that Agency to properly warn and advise the leaders of our country of certain catastrophic dangers to the security of our Nation and the world.

The fact that the revolution in Iraq was completed without any inkling to the Central Intelligence Agency which left the United States and its allies in a most precarious position triggered my request for this investigation. The Iraq revolution is not the only major turn of events which gives the Senate basic reasons for this investigation.

We also recall that the problem of the Suez erupted without notice to us and without the knowledge of the Central Intelligence Agency. Also the grave dangers that faced the Vice President of the United States and his wife and his entourage in several countries in South America came as a distinct shock to the President of the United States and to the Members of Congress.

I believe it is imperative that the Foreign Relations Committee of the Senate be authorized to conduct an investigation of the Central Intelligence Agency immediately so that one day will not pass where even more devastating damage will be done to the security of our Nation and the world because of the fault of the Central Intelligence Agency in not detecting the difficulty in due time.

ADDITIONAL FUNDS FOR SELECT COMMITTEE ON IMPROPER ACTIVITIES IN LABOR AND MANAGEMENT FIELD

Mr. McCLELLAN submitted the following resolution (S. Res. 339), which was referred to the Committee on Rules and Administration:

Resolved, That the amount authorized in Senate Resolution 221, agreed to January 29, 1958, 85th Congress, 2d session, authorizing and directing the committee to conduct an investigation and study of the extent to which criminal or other improper practices or activities are, or have been, engaged in in the field of labor-management relations or in groups or organizations of employees or employers to the detriment of the interests of the public, employers, or employees, and to determine whether any changes are required in the laws of the United States in order to protect such interests against the occurrence of such practices or activities, is hereby increased by the additional amount of \$250,000.

HUMANE METHODS OF SLAUGHTER OF LIVESTOCK—AMENDMENT

Mr. HUMPHREY. Mr. President, as a Senator who has worked for effective humane-slaughter legislation for several years, I wish to inform the Senate that I shall move to amend the bill (H. R. 8308) as reported from the Senate Agriculture Committee on June 18, 1958, to substitute the original language of the House-passed bill.

I submit an amendment in the nature of a substitute. The following 17 distinguished Senators have agreed to cosponsor the amendment: the Senator from Oregon [Mr. NEUBERGER] and the Senator from Connecticut [Mr. PURTELL], the original cosponsors of the bill S. 1497, and the following additional Senators: Senators CHURCH, FLANDERS, GREEN, HENNING, HILL, KENNEDY, LANGER, McNAMARA, MONRONEY, MORSE, MURRAY, PROXMIER, REVERCOMB, SALTONSTALL, SMITH of Maine, and SPARKMAN.

We want our colleagues in the Senate to be on notice that we are going to seek a Senate floor test regarding effective humane-slaughter legislation, rather than permit passage of a weak bill professing to be for humane slaughter but which in fact is but a study proposal lending itself to delay.

All that the so-called study bill does is delay establishment of a public policy encouraging humane slaughter of animals. This question has been literally studied to death over the past 2 decades, with everybody giving lip service to the objective but finding reasons why it should not become an accomplished fact.

It is time the real issue is brought before Congress to decide, one way or another. If our proposed amendment were not offered, Congress would not have the opportunity of choosing between the public-interest appeal of millions of Americans and the entrenched economic resistance of major meat-packers.

Europe is far advanced over the United States in humane methods of slaughter—and it took legislation to accomplish it.

American slaughtering plants that have turned to humane methods have found it not only practical but profitable. Yet the vast majority of plants in the United States still resist any change from the old-fashioned methods of the knocking hammer still used to kill cattle. By establishing humane standards for the slaughter of meat purchased by our own Government, a powerful incentive will be provided for expediting general acceptance of modern, humane methods—and development of still more humane methods in the future. That is what our amendment proposes to do.

The PRESIDENT pro tempore. The amendment will be received, printed, and will lie on the table.

TECHNICAL CHANGES IN FEDERAL EXCISE-TAX LAWS—AMENDMENT

Mr. NEUBERGER submitted an amendment, intended to be proposed by him, to the bill (H. R. 7125) to make technical changes in the Federal excise-tax laws, and for other purposes, which was referred to the Committee on Finance, and ordered to be printed.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE APPENDIX

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Appendix, as follows:

By Mr. JAVITS:

Address entitled "The Food Industry in a Changing World," delivered by Bernard L. Oser, doctor of philosophy, Food and Drug Research Laboratories, Inc., Maspeth, New York, N. Y., before 18th annual meeting, Institute of Food Technologists, Chicago, Ill., May 27, 1958.

By Mr. DOUGLAS:

Statement by Gerald S. Gidwitz, chairman of the board, Continental Materials Corp., to the Housing and Home Finance Agency and Federal Housing Administration.

By Mr. THURMOND:

Editorial entitled "States Rights Victory," from the News and Courier, of Charleston, S. C., of June 20, 1958.

By Mr. HUMPHREY:

Editorial entitled "Is Foreign Aid Unpopular?" published in the New York Times of a recent date.

Editorial entitled "New Links for NATO" published in the Washington Post of July 7, 1958.

Editorial on the service rendered by Senator NEUBERGER to his constituents, published in the World, of Coos Bay, Oreg., on July 12, 1958.

By Mr. YARBOROUGH:

News item and editorial from the Houston Post of July 17, 1958, paying tribute to the late B. E. Stallones.

By Mr. COOPER:

Address delivered by him at annual convention of Leaf Tobacco Exporters Association, at White Sulphur Springs, W. Va., on June 24, 1958, on extension of the Trade Agreements Act.

By Mr. NEUBERGER:

Excerpts from address by Elmer McClure, of Clackamas County, Oreg., delivered at the annual session of the Oregon State Grange, at Eugene, Oreg., on June 9-13, 1958.

Excerpts from commencement address by Prof. Charles McKinley, of Reed College, Oregon.

By Mr. GOLDWATER:

Address on communism delivered by Fred Blair Townsend to the rally of Churches of Christ and Christian churches in Arizona, on February 26, 1958.

By Mr. HOBLITZELL:

Editorial entitled "Student Loan Guaranty Funds," published in the American Banker for July 22, 1958.

By Mr. SPARKMAN:

Editorial on the sending of American troops to Lebanon, published in the Florence (Ala.) Times of July 19, 1958.

Editorial entitled "Waterway Development Important to Mobile," published in the Mobile Register.

Editorial on Republican hopes of obtaining control of the House of Representatives following the election in November 1958.

AGREEMENTS FOR COOPERATION, JOINT COMMITTEE ON ATOMIC ENERGY

Mr. PASTORE. Mr. President, the current crisis in the Middle East has graphically demonstrated the vital dependence of the free world, particularly Western Europe, on Middle East oil. It has also served to focus attention, once again, on the need for finding some means for providing Western Europe with alternative sources of energy to meet mounting power requirements. The answer, Mr. President, is nuclear power; and the ready built mechanism is to be found in the proposed Euratom agreements currently before Congress for consideration and action.

It has been pointed out repeatedly by experts who have given the matter sober

consideration that Europe's energy imports will rise to heights intolerable without nuclear power. At the present time the six countries participating in the Euratom program, namely, Belgium, France, the German Federal Republic, Italy, Luxembourg, and the Netherlands, import about one-quarter of their energy supplies. This is mostly in the form of oil from the Middle East, and it is predicted that the import requirements will double in 10 years and triple in 20 years unless nuclear power is brought forth promptly. It is not an overstatement to say that the future of Europe's economic growth, and even of its political security in the world, depends on meeting its energy needs.

Present day events in the Middle East are reminiscent of events in the all too recent past when the Suez crisis brought home to the people of Western Europe, and to the people of the rest of the world, for that matter, the precarious position of nations which have become dependent in large part on Middle East oil to provide energy for their electric power stations and their industry. It was the Suez crisis which gave the first great impetus to the formation of the European atomic-energy community, or Euratom we know it today. For the first time, our friends in Europe saw a promising means of liberating themselves from traditional dependence on Middle East oil, and, at the same time, they saw in the proposed Euratom program a major step forward in the formation of a united Europe.

The importance of this development to the strengthening of Western Europe as part of the free world alliance cannot be overemphasized. And we have, at this very moment, Mr. President, the instrument for carrying out this noble cause which will contribute so much to free world unity.

But beyond this, the United States itself has a major stake in the development of atomic power in Western Europe, under the Euratom program. The aim of the program is to bring into operation in Europe by 1963 about 1 million electric kilowatts of installed nuclear capacity, and to initiate immediately a joint research and development program centered around these reactors.

Make no mistake about it, Mr. President; this program represents a magnificent opportunity for American industry to acquire a substantial volume of new business in power-reactor-development work and the construction of American-type plants in Europe. With domestic needs for nuclear power still limited, the large market opening up in Europe under the Euratom program could spell the difference between the United States having a strong industrial base in atomic-power development and having a weak, ineffectual industrial effort which would not be geared to meet future needs both here and abroad.

The point I should like to make is this, Mr. President: We have in hand at this very moment the means of achieving two of our major national objectives. First, we promote the cause of European economic integration. Second, we pro-

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15. HUMANE SLAUGHTER. Passed, 72 to 9, with amendments, H. R. 8308, to provide for the humane slaughter of livestock through the prohibition of Government purchase of meats "not so slaughtered after June 30, 1960, and to direct the Department to conduct research on humane slaughter methods. pp. 14055-72, 14076-14104

Agreed to the following amendments:

- By Sen. Humphrey, to alter four dates to lengthen the final date for effectiveness of the bill from Dec. 31, 1959, to June 30, 1959, and to require the Secretary to issue rules and regulations by March 1, 1959, instead of July 1, 1959 (p. 14089).
- By Sen. Javits, to include handling before slaughter under the exemption of certain religious practices (pp. 14089-14101).
- By Sen. Case, 44 to 38, to exempt all slaughter and handling on the basis of religion, in order to protect freedom of religion (pp. 14090-14101-3).
- Rejected, 40 to 43, the committee amendment in the nature of a substitute to require the Department to conduct research and report two years after passage of the bill on any legislative action warranted (pp. 14055-72, 14076-89).
- Rejected, 29 to 53, a motion by Sen. O'Mahoney to recommit the bill (p. 14103).

16. FOREIGN AID; INSECTICIDES. Sen. Wiley commended the technical assistance program of USDA in combatting food destroying pests abroad, and inserted articles "Entomology in the Point 4 Program," by Edson J. Hambleton, FAS, 1952, and "Cooperative Control of the Desert Locust and Other Major Pests in the Middle East and South Africa," by Edson J. Hambleton and Stanley B. Fracker, ARS, 1954. pp. 14072-4

17. PERSONNEL. Senate conferees were appointed on S. 1411, to give agencies discretion in suspending or retaining on duty Federal employees prior to security hearings. pp. 14105-6

18. WATER RESOURCES. The Public Works Committee reported with amendments S. 4021, to establish the U. S. Study Commission on the Savannah, Altamaha, St. Marys, Apalachicola-Chattahoochee, and Alabama-Coosa River Basins (S. Rept. 2031) p. 14040

The Interstate and Foreign Commerce Committee reported with amendments S. 3185, to promote fish and wildlife conservation by requiring prior approval by the Secretary of the Interior of licenses issued under the Federal Power Act (S. Rept. 2040). p. 14040

19. BUDGETING. The Government Operations Committee indefinitely postponed further consideration of S. 3578, to prohibit the withholding or impoundment of appropriations. p. D751

20. FOREIGN TRADE. Sen. Kennedy inserted a letter by the AFL-CIO legislative representative urging the reciprocal trade agreement extension bill conferees to retain the trade adjustment provisions. pp. 14114-15

21. LEGISLATIVE PROGRAM. Sen. Johnson stated that much work remains for Congress to do and he was doubtful that Congress would adjourn by Aug. 9. pp. 14041-2

ITEMS IN APPENDIX

22. ELECTRIFICATION. Rep. Scudder inserted testimony before the House Public Works Committee opposing S. 1869, to amend the TVA Act to authorize the issuance of bonds to assist in financing a power program. p. A6776

Extension of remarks of Rep. Byrd opposing this proposed bill and inserting an article on the subject. pp. A6807-9

23. DAIRY INDUSTRY. Sen. Thye inserted an article, "Eastern Price System Hits Midwest Dairymen." p. A6781
24. TOBACCO. Sen. Thurmond inserted an article, "Congress Should Investigate Tobacco Marketing Dispute," and stated that "it represents the general attitude of tobaccomen in South Carolina" regarding this Department's marketing procedures. p. A6782
25. FOREIGN AID. Rep. Byrne inserted an editorial, "We Should Take New Look At Our Foreign Aid Goals." pp. A6788-9
26. WOOL. Extension of remarks of Rep. Berry urging extension of the National Wool Act and stating that the extension is essential to survival of the sheep and wool industry. pp. A6796-7
27. 4-H CLUBS. Rep. Bentley inserted 2 editorials commenting on and refuting certain statements made by August Scholle, pres., Michigan AFL-CIO, against 4-H Clubs. p. A6800
28. FLAG. Rep. Celler discussed provisions of his proposed bill H. R. 13552, to clarify the law relating to the design and dimension of the United States flag. pp. A6805-6

BILLS INTRODUCED

29. PUBLIC DEBT. H. R. 13580, by Rep. Mills, and H. R. 13581, by Rep. Reed, to increase the public debt limit; to Ways and Means Committee.

PRINTED HEARINGS RECEIVED BY THIS OFFICE

30. APPROPRIATIONS. H. R. 12738, Dept. of Defense appropriations for 1959. S. Appropriations Committee.
31. BUDGETING. H. R. 11441, 11541, 11682 and H. R. 7193, prohibiting withholding or impoundment of appropriations and amending the Antideficiency Act. H. Government Operations Committee.
32. PERSONNEL. Manpower utilization in the Federal Government (supergrade and Public Law 313 positions). H. Post Office and Civil Service Committee.
33. TAXATION. H. R. 7125, to make technical changes in the Federal excise tax laws. S. Finance Committee.
34. NOMINATIONS. Nominations for Board of Directors, Tennessee Valley Authority. S. Public Works Committee.
35. RECLAMATION. S. 1425, 2541 and 3448, relating to the acreage limitation provision of the Federal reclamation law. S. Interior and Insular Affairs Committee.

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COMMITTEE HEARINGS ANNOUNCEMENTS:

July 30: Farm bill, H. Agriculture (exec). Supplemental appropriation bill, S. Appropriations. S. Agriculture Committee (exec). Housing bill, H. Banking and Currency.

H. R. 7140. An act to amend title 10, United States Code, to authorize a registrar at the United States Military Academy, and for other purposes;

H. R. 7941. An act for the relief of Mrs. Harry B. Kesler; and

H. R. 11378. An act to amend Public Laws 815 and 874, 81st Congress, to make permanent the programs providing financial assistance in the construction and operation of schools in areas affected by Federal activities, insofar as such programs relate to children of persons who reside and work on Federal property, to extend such programs until June 30, 1961, insofar as such programs relate to other children, and to make certain other changes in such laws.

The message further announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 2966) for the relief of Harry F. Lindall; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. LANE, Mr. MONTOYA, and Mr. POFF were appointed managers on the part of the House at the conference.

The message also announced that the House had passed a joint resolution (H. J. Res. 672) amending a joint resolution making temporary appropriations for the fiscal year 1959, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H. R. 7734. An act to exempt certain teachers in the Canal Zone public schools from prohibitions against the holding of dual offices and the receipt of double salaries;

H. R. 8252. An act to amend section 3237 of title 18 of the United States Code to define the place at which certain offenses against the income tax laws take place;

H. R. 8282. An act for the relief of James E. Driscoll;

H. R. 8444. An act for the relief of Lloyd Lucero;

H. R. 8645. An act to amend section 9 subsection (a), of the Reclamation Project Act of 1939, and for other related purposes;

H. R. 8875. An act for the relief of Mr. and Mrs. George Holden;

H. R. 9181. An act for the relief of Herbert H. Howell;

H. R. 9222. An act for the relief of Dr. Edgar Scott;

H. R. 9397. An act for the relief of William T. Manning Co., Inc., of Fall River, Mass.;

H. R. 9885. An act for the relief of Frank A. Gyescek;

H. R. 11305. An act to authorize the appropriation of funds to finance the 1961 meeting of the Permanent International Association of Navigation Congresses;

H. R. 11549. An act to provide for the preparation of a proposed revision of the Canal Zone Code together with appropriate ancillary material; and

H. R. 12209. An act to provide for adjustments in the lands or interests therein acquired for the Albeni Falls Reservoir project, Idaho, by the reconveyance of certain lands or interests therein to the former owners thereof.

The message notified the Senate that Mr. THOMPSON of Texas, and Mr. SIMPSON of Illinois had been appointed managers on the part of the House at the

conference of the two Houses on the bill (H. R. 376) to amend the Commodity Exchange Act to prohibit trading in onion futures in commodity exchanges, vice Mr. POAGE and Mr. HOEVEN, excused.

HUMANE METHODS OF SLAUGHTER OF LIVESTOCK

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1759, H. R. 8308.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 8308) to establish the use of humane methods of slaughter of livestock as a policy of the United States, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 8308) to establish the use of humane methods of slaughter of livestock as a policy of the United States, and for other purposes, which had been reported from the Committee on Agriculture and Forestry, with an amendment, to strike out all after the enacting clause and insert:

That the Congress finds that the use of inhumane methods in the slaughtering of livestock and the handling of livestock in connection with slaughter is contrary to the public interest in that it causes needless suffering, has an adverse effect upon public acceptance of the products of livestock, and is detrimental to the interests of producers. It is, therefore, declared to be the policy of the United States that the slaughtering of livestock and the handling of livestock in connection with slaughter be carried out by humane methods. As used in this act the term "livestock" shall be deemed to include poultry.

SEC. 2. To aid in effectuating such policy the Secretary of Agriculture is authorized and directed (a) to conduct, assist, and foster research for the development and determination of methods of slaughter of livestock and of handling livestock in connection with slaughter which are humane in the light of current scientific knowledge and practicable with reference to the necessary speed and scope of slaughtering operations, (b) to promote and encourage the use of humane methods of slaughter of livestock and handling of livestock in connection with slaughter by disseminating the results of the scientific research provided for in subparagraph (a) of this section and by working with slaughterers, humane associations, and other interested persons to accomplish such purposes, (c) to report to the Congress on January 1, 1959, and annually thereafter concerning actions taken pursuant to this act, and (d) to report to the Congress changes, if any, and the extent thereof, in the methods of slaughter adopted by the slaughtering industry, together with such recommendations on the need for legislative action as the Secretary may determine are warranted in the light of scientific research and developments in the industry. Within 2 years after the enactment of this act the Secretary shall submit to Congress a complete legislative proposal setting out those methods of slaughter found to be humane and requiring their adoption by slaughterers.

SEC. 3. The Secretary is authorized to establish an advisory committee to assist in

effectuating the provisions of section 2. The functions of the committee shall be to consult with the Secretary and other officials of the Department of Agriculture and to make recommendations to the Department relative to the responsibilities and functions vested in the Secretary under section 2. The committee shall be appointed by the Secretary and shall include in its membership members from the following fields of interest: Humane treatment of animals, the production of livestock, the slaughter of livestock including ritualistic slaughter, animal husbandry and veterinary medicine. The chairman of the committee shall be an official of the Department of Agriculture designated by the Secretary. Committee members other than the chairman shall not be deemed to be employees of the United States and shall not be entitled to compensation, but the Secretary is authorized to allow reasonable travel expenses and subsistence expenses in connection with their attendance at regular or special meetings for the purposes of the act. The committee shall meet at least once each year at the call of the Secretary or the chairman.

SEC. 4. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this act.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

Mr. MORSE. Mr. President, I object.

The PRESIDING OFFICER. The clerk will continue the call of the roll.

Mr. JOHNSON of Texas (after conferring with Mr. MORSE). Mr. President, I again ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The question is on agreeing to the committee amendment in the nature of a substitute, which is open to amendment.

Mr. ELLENDER. Mr. President, we have before us the so-called humane slaughter bill. The Committee on Agriculture and Forestry has considered such legislation during the past two sessions of Congress.

During the last session, the committee reported a more or less study bill. The Senate passed that bill and sent it to the House for action, where it died from inaction. This year, the House took up the matter and passed a bill which, in turn, was considered by the Senate Committee on Agriculture and Forestry.

I have been in the Senate for 22 years, and I know of no bill which has provoked more letter writing and telegraphic communications than the so-called humane slaughter bill which passed the House. I am quite satisfied that if those who wrote the flood of letters and telegrams knew all the implications of the issue, what the House bill contained and what the Senate bill means, they would not be so vociferous about and so anxious for passage of the House bill alone.

In my judgment, the House bill is more or less a make-believe one. It does not require the humane slaughter of House.

animals in the majority of slaughterhouses scattered throughout the United States. The bill has no penalties attached to it. It has no teeth in it. It is a mere shadow of a bill. For that reason, the Senate committee saw fit to hold extensive hearings, in the hope that we could report to the Senate a measure which might better meet the objectives of those who desire to foster truly humane slaughter practices.

The great difficulty with legislation of this kind—and the evidence will so show—is that no Federal agency has made any study as to what methods of slaughter are actually humane. Yet the bill passed by the House undertakes to set forth what methods of slaughter are humane. Of course, the argument is made that some countries, principally in Europe, have utilized the House bill's methods for many years. That is correct. But the question remains: are those methods really humane?

The answer is readily apparent, after reading the hearings held by our committee. No one knows whether they are or not. As a matter of fact there is much evidence to the effect that the methods prescribed in the bill are not consistent with real humane slaughtering. At best the methods prescribed in the House bill should be studied by experts before being written into law. I would certainly be the first to advocate and foster compulsory humane slaughter legislation if the methods required had been found to be humane.

Therefore, in an effort to determine which methods are humane, the Committee on Agriculture and Forestry, after hearing much evidence, reported to the Senate the pending bill requiring that humane slaughter methods be intensively studied by the Secretary of Agriculture and that the Secretary report his findings to us within 2 years.

Let me be frank with Senators. The committee bill is no subterfuge. It means what it says. It directs the Secretary to study and specify humane slaughter methods, and to report to the committee which methods are found to be humane within 2 years. In the meantime, the Secretary is directed to obtain voluntary compliance by packers with those methods.

I can assure Senators that at the expiration of 2 years, if there has not been voluntary compliance with methods recommended by the Secretary, I personally will lead the fight in the Senate for a humane slaughter bill with teeth in it, not a wishy-washy subterfuge such as that passed by the House under the guise of humane slaughter legislation. The bill as passed by the House contains no criminal penalties.

If we are to pass a bill to enforce humane slaughtering, it should apply to all slaughterhouses which are engaged in interstate commerce, and it should contain penalties.

The House bill, on the other hand, undertakes to arbitrarily define what methods of slaughter are humane and then states that if slaughterhouses do not follow those methods, the only penalty suffer is that they cannot sell meat to a Government agency. Is that not correct? They cannot sell meat

to a Government agency. What will that mean? It will mean that of the 3,400 slaughterhouses in the country, only some 240 would be affected under the House bill.

What the Committee on Agriculture and Forestry sought to do was to require a real study of humane slaughter methods and to require that the results of such a study be made available in 2 years. At the end of that time, or even earlier, if the necessary studies had been made, Congress would be in a position to enact sensible and meaningful legislation—legislation setting forth methods found to be definitely humane—legislation with teeth in it—legislation which would apply to all slaughterhouses engaged in interstate commerce.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. MORSE. Mr. President, I am sure the Senator from Louisiana has received some messages on a delicate point which has to do with the position of the orthodox Jewish rabbis. Some of them seem to be under the impression that the adoption of the pending bill, or a similar bill, will in some way interfere with the religious practices of the orthodox Jewish faith. Can the Senator from Louisiana enlighten me in regard to that matter?

Mr. ELLENDER. There is no question that the testimony—

Mr. JOHNSON of Texas. Mr. President, will the Senator speak louder?

Mr. ELLENDER. There is no question that testimony before the committee is replete with statements from various associations of rabbis that they feel the House bill will, to a large extent, interfere with their religious rites.

We heard rabbis representing various organizations throughout the country at a full-day hearing of the committee. They were unalterably opposed to the pending bill.

It is true that there are some segments of the Jewish faith which are in favor of the bill. However, a reading of the testimony will show that they have been more or less forced into that position, having been told, "Unless you are for the House bill, you will get something much worse." This fact was brought out very clearly during the testimony.

Mr. MORSE. Is there any testimony in the RECORD from any Orthodox Jewish group which indicates that they can adjust their religious rites to the provisions of the bill?

Mr. ELLENDER. They all answer "No" to that question. That is the gist of the testimony.

Mr. HUMPHREY. Mr. President, I hope the Senator from Oregon will ask me the same questions when I make my presentation.

Mr. MORSE. I intend to.

Mr. HUMPHREY. The matter has been gone into extensively. There are two provisions in the bill passed by the House which would protect the religious right of any person with respect to slaughtering in connection with any ritualistic practice.

Mr. ELLENDER. The Senator was present when I conducted the hearings.

He conducted hearings on the same subject 2 years before that.

Mr. HUMPHREY. That is correct.

Mr. ELLENDER. It may be that the evidence at that time was a little different from what was submitted this year, but I am here to say that if the record is examined, it will be seen that most of the witnesses who appeared in opposition to the bill were unanimous in their views—

Mr. HUMPHREY. In their opinion.

Mr. ELLENDER. In their opinion—that is correct—that it would not protect their faith. These men were rabbis. Their opinion is certainly the opinion of experts.

Mr. HUMPHREY. I wish to confirm that what the Senator has said is absolutely correct; that the testimony which was presented was that the opinion was that the bill might lead to some form of practice or some form of regulation which was contrary to certain religious practices.

But also, upon careful examination, there is no evidence that there is any word within the bill which would lead to such an assumption except that decades ago, in the 18th century, in such countries as, for example, those in Central Europe, where there were vicious forms of anti-Semitism, some persons who were anti-Semites proposed humane slaughter, and deductions were drawn from that.

I have the greatest sympathy and feeling for those who testified. I have spent 3 years listening to such testimony. I do not wish to speak on the time of the Senator from Louisiana now, but on my own time I shall speak further about this. I shall address myself to this particular point, because it was the subject of considerable concern in the other House, and there is correspondence which is quite revealing.

Mr. NEUBERGER. Mr. President will the Senator yield?

Mr. ELLENDER. I yield.

Mr. NEUBERGER. Simply because the issue has been raised, at this point I think there should now be placed in the RECORD one paragraph from a letter dated June 20, 1958, sent to the distinguished junior Senator from Minnesota [Mr. HUMPHREY], who is the principal sponsor of the bill, by a man whom I regard as the most eminent member of the Jewish faith in this Nation. He is our former colleague, Herbert H. Lehman, of New York. Besides being a distinguished former Member of the Senate, he was also governor of the most populous State in the Union and had an illustrious career in many other varied fields, besides.

One paragraph of the letter from former Senator Lehman, written only a month ago, prior to the time he and Mrs. Lehman undertook a journey to Europe, reads as follows:

However, I want you to know, should the question come up in the course of debate or other consideration of this legislation, that in my judgment, for what it is worth, your bill, with adequate protection for Jewish ritual slaughter—with the Anfusio amendment as it could, and should, be modified—not only represents no real threat to the sensibilities of my faith, but is, indeed, con-

sistent with the objections of humaneness which are honored in the Jewish faith and tradition as well as in others.

Mr. ELLENDER. Let me be frank in stating that the testimony on this point is replete with statements to the contrary. The vast majority of the witnesses who testified—and the Senator from Minnesota was present—took the position that the reason why the Anfuso provision was put into the bill—and some members of the Jewish faith testified favorably to the House bill—was that its phraseology was such as to allow some alternatives. So I know their worries. They felt that unless the House bill is passed, another bill with more stringent restrictions would be enacted. In other words, they felt that the House bill would be the lesser of two evils.

Mr. HUMPHREY. I do not think anyone has been closer to the proposed legislation than has the junior Senator from Minnesota. It has caused me much heartache. I can honestly say that no one ever made an attempt to force anybody into anything. In fact, as I shall point out in my own time, the amendments which relate to ritualistic slaughter were written by persons who have some concern about the matter.

Of all the things I would never want to do in my life—I can say this on my honor—never would I want, in any way, to offend anyone's religious practice or deny the utmost religious freedom. I would rather we should never legislate on any item than that we would ever do such a thing. I would not put my name to any bill if I thought it would ever do such a thing. I may be in error, but, as the Lord is my judge, I would never do such a thing, because religious freedom is the most precious of all our rights.

Mr. ELLENDER. In my remarks I did not mean to leave the impression that I thought the Senator was intimidated. I was speaking about the persons who appeared before the committee as witnesses on this question. There is testimony to that effect; it is in the record.

It has been stated that Mr. Leo Pfeffer, associate general counsel of the American Jewish Congress, was strongly for the measure. As a matter of fact, he was not for either side. His letter to that effect is in the record. Yet that letter was used, at first, by the distinguished Senator from Minnesota, as I remember, in making the point that the American Jewish Congress favored the bill. I shall read the letter into the RECORD. It shows that the American Jewish Congress took neither side. I cite that letter because there was testimony to the effect that there was some compulsion exerted to make some segments of the Jewish faith accept what was written into the House bill.

Mr. HUMPHREY. Is it not true, however, that Mr. Pfeffer actually drew the language of the amendment in the bill, which is designed, I say most respectfully, to protect religious freedom?

Mr. ELLENDER. I do not recall.

Mr. HUMPHREY. I shall quote for the RECORD a statement that he did. I swear that he did draw such language at

the request of Senators on the committee.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. SYMINGTON. As I understand the bill now, it corrects objections which the orthodox Jewry have to the bill. I was worried because in my State many fine members of the orthodox Jewish faith felt the bill did not take care of the actual slaughtering of animals in accordance with their ritual. That was corrected.

There was apprehension that the bill did not correct the matter of the preparation of animals for slaughter. That was corrected.

There was also apprehension that it would be considered inhumane to perform Shehitah. A provision was put in the bill stating specifically that Shehitah was humane.

Finally, a letter was written on May 13, 1958, I believe, by the—

Mr. ELLENDER. A letter from Mr. Pfeffer?

Mr. SYMINGTON. No; a letter of, I believe, May 13, from Mr. Farrington, counsel for the Department of Agriculture. In this letter he stated that he did not think the bill would properly protect the orthodox Jewish ritual.

I join with my distinguished colleague from Minnesota in emphasizing that under no circumstances would I want to do anything which would affect any religious ritual or practice.

Mr. ELLENDER. Mr. President, since I mentioned the letter from Mr. Pfeffer, associate general counsel of the American Jewish Congress, who the Senator from Minnesota said wrote this provision, I ask unanimous consent that this letter of May 14, 1958, be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MAY 14, 1958.

COTYS MOUSER,

Secretary, Senate Agriculture Committee, Senate Office Building, Washington, D. C.

DEAR MR. MOUSER: I am happy to reply to your request that I clarify the present position of the American Jewish Congress in respect to the humane slaughtering bill now being considered by your committee. The objective of achieving humane slaughtering practices, however worthy the goal, is beyond the purview and scope of the program of the American Jewish Congress. For that reason the American Jewish Congress has never taken any position regarding humane slaughtering legislation as such. Our interest in the present bill and predecessors arises from our concern with the protection of the right of Jewish religious slaughter known as shehitah in accordance with our policy. Therefore, while we do not endorse humane-slaughtering legislation, we do not by the same token oppose such legislation if it is clear that it does not restrict or handicap slaughtering in accordance with the requirements or practices of the Jewish religion, or the handling and preparation necessary for such ritual slaughtering. This has been and remains the position of the American Jewish Congress.

AMERICAN JEWISH CONGRESS.
LEO PFEFFER.

Mr. ELLENDER. Mr. President, I remember now that Mr. Pfeffer is the man who prepared the so-called Anfuso amendment. As I recall, I suggested that he reduce his views to writing, because various witnesses testified that some members of the Jewish faith were more or less led into supporting the House version with the so-called Anfuso amendment, lest a worse bill be written.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. MORSE. I desire the attention of the Senator from Minnesota. I have raised this question, because, as the Senator from Minnesota knows, I think that when we have such delicate and difficult issues involved in a bill, they should be brought out on the floor for full public disclosure and discussion. As the Senator from Minnesota knows, I am a co-sponsor of his bill.

Mr. HUMPHREY. I certainly do.

Mr. MORSE. So far as I know, the bill does not, in fact, infringe upon the religious freedom of the orthodox Jews. I wanted to make a record today, however, so that those who think to the contrary may make their case. I desire the Senator from Minnesota to know that there was not the slightest intention on the part of the senior Senator from Oregon in any way to question his convictions with respect to religious freedom.

Now I should like to have the attention of my colleague, the distinguished junior Senator from Oregon [Mr. NEUBERGER], for a moment. He read into the RECORD a paragraph from a letter written by former Senator Lehman, which will have great weight in the debate in the Senate. I ask my colleague if he knows whether former Senator Lehman is a member of the orthodox group of the Jewish faith or is a member of the reform or conservative group.

Mr. NEUBERGER. While I am not authorized to speak concerning former Senator Lehman's religious views, it is my understanding that he is a member of what is called the liberal or reform group.

Mr. MORSE. I think he is a good witness, in any event. But the objection seems to be coming from the orthodox group. I think we ought to make it perfectly certain that we have adequate evidence from the orthodox group itself with respect to the effect of the bill itself on the orthodox group. That is why I raised the question.

Mr. CARROLL. Mr. President—

The PRESIDING OFFICER (Mr. LAUSCHE in the chair). Does the Senator from Louisiana yield to the Senator from Colorado?

Mr. ELLENDER. I yield.

Mr. CARROLL. I should like to ask the junior Senator from Oregon [Mr. NEUBERGER] whether the Anfuso amendment, as referred to in the letter from the distinguished former Senator from New York, Mr. Lehman, is included in the bill which has been passed by the House.

Mr. NEUBERGER. The Anfuso amendment is included in the bill as it came to us from the House of Representatives, after it was passed by the House.

Inasmuch as I have been asked about it, let me say that in my opinion—for whatever it may be worth—I believe the Anfusio amendment adequately protects the religious and ritual slaughter methods which have been referred to during the debate.

Mr. CARROLL. I read now from page 2, section 2, paragraph (b) of House bill 8308, as passed by the House of Representatives:

(b) by slaughtering in accordance with the ritual requirements of the Jewish faith or any other religious faith that prescribes a method of slaughter whereby the animal suffers loss of consciousness by anemia of the brain caused by the simultaneous and instantaneous severance of the carotid arteries with a sharp instrument.

Is that the amendment?

Mr. HUMPHREY. That is the official approval of kosher slaughter as humane, contained in the House bill which I support.

Mr. CARROLL. Does the distinguished Senator from Minnesota intend to submit such an amendment or any other amendment?

Mr. HUMPHREY. I do not intend to submit an amendment. Suggestions have been made in regard to an amendment which would relate to this particular subsection. I believe any further amendment to be unnecessary. I believe it is only necessary to clarify the point, which we shall do in the course of the debate, in connection with establishing the legislative history. But if such an amendment were submitted, of course it would have to be considered on its merits.

I, myself, have no intention of offering such an amendment.

Mr. CARROLL. The distinguished Senator from Minnesota has been most helpful to me on this matter. I agree with the Senator from Louisiana that I have received more mail on this issue than on almost any other; and some of the great intellectual leaders in Colorado have written to me about it. I, in turn, have conferred with the office of the junior Senator from Minnesota [Mr. HUMPHREY] because I consider him to be one of the experts in this field.

So I wish to associate myself with the remarks of the distinguished junior Senator from Minnesota [Mr. HUMPHREY]. I know he stands for religious freedom. I realize the serious problems with which he has been confronted in this connection, and I shall be very much interested in the debate as it proceeds today.

I thank the Senator from Louisiana for yielding to me.

Mr. ELLENDER. Mr. President, I wish to say in perfect frankness to the Senate that, during the hearings, I asked some of the rabbis who represented the Jewish Orthodox Church whether or not it was possible to include in the bill language which would be satisfactory to them. Their answer was "No."

Mr. President, what concerns me more than anything else about this problem of humane slaughter is the fact that some elements are making to the people of the country representations that the House bill requires humane slaughter

methods in all slaughterhouses. That is the impression being left.

What the Senate committee desires—as it desired 2 years ago—is to have a study made of humane slaughter methods in order to determine which methods are, indeed, humane. I, for one, do not want to go off halfcocked, so to speak.

Two years ago the House of Representatives rejected that proposal and would not even hold hearings on our bill. If the House had done so, we would not be in the quandary we find ourselves today—we would be in a position to enact constructive legislation instead of, I fear, putting emotion first and commonsense second. The House, it now develops, has proceeded to draft its own bill, which is before the Senate at this time.

I personally conducted the committee hearings on the issue.

Mr. President, I still firmly believe that the best method by which the Congress can proceed is to have the Department of Agriculture make a study of humane slaughtering methods, with a view toward providing us definite information as to which methods are humane, so we can be sure we are not legislating in the dark on premises which time may prove to be false.

All of us favor humane slaughtering methods. But the evidence from the Department, as well as the evidence from other sources, is that, up to now, no methods which properly can be called humane have been applied to all animals.

For instance, there has been under consideration the method called the direct blow—in other words, one blow on the head of an animal. The evidence shows that that method may be successfully and humanely applied to cattle, but not to sheep or to hogs.

Then there is the asphyxiation method. The evidence shows that if a little too much of the asphyxiating gas is used the animal's flesh may be contaminated. Furthermore, according to some of the witnesses, if the asphyxiation method is to work properly, all the animals treated at one time must be of the same size and weight, so that the same amount of gas will be inhaled by each of them.

On the other hand, if a larger animal is included in a pen with smaller ones, and if gas then is applied, more gas will be required to asphyxiate the larger animal, and the additional amount of gas may contaminate the flesh of the smaller animals.

So at the present time the Department of Agriculture is at a loss to make a determination as to what methods are best.

Our bill, which is in the nature of a substitute for the bill passed by the House of Representatives, provides for a study of these methods, looking toward the enactment of mandatory humane slaughter legislation, based on recommended methods, within 2 years. I assure the Senate that, when the Department of Agriculture completes the studies called for in the Senate bill—and I know it will make them—I personally will lead the fight to pass a bill with teeth in it, to make it a crime for anyone engaged in interstate commerce to use inhumane methods of slaughtering.

As the bill passed by the House of Representatives now stands, I would not call it a humane slaughtering bill. I say this because it would not apply to more than 240 of the 3,400 slaughterhouses scattered throughout the Nation. What is more, the bill does not provide for any criminal penalties. I repeat that the only penalty provided by the House bill is that those who do not use the methods prescribed by the bill cannot sell their products to the Government.

Mr. JAVITS. Mr. President, will the Senator from Louisiana yield to me?

Mr. ELLENDER. I yield.

Mr. JAVITS. I did not participate in the debate a little while ago with respect to shehitah because I believe that the principal issue the Senator from Louisiana is discussing now relates to the merits or demerits of the committee measure versus the amendment—which has been printed—submitted by the Senator from Minnesota.

I deeply believe that all the arguments which have been made in regard to that issue relate to other matters—for instance, the desirability or lack of desirability of the particular type of regulation provide for in the bill as passed by the House of Representatives. I shall address myself to that subject when I believe it to be germane to the debate.

Let me ask whether any consideration was given by the committee to this possible compromise: To have the study succeeded by a filing, by the Secretary of Agriculture, of a set of regulations which would be subject to congressional veto, as in the case of a reorganization plan.

Similarly, let me ask whether consideration has been given to still a third possibility—more or less in between the Poage bill and the committee study plan—which would make the advocates of the humane slaughter measure believe that some affirmative regulation would be established at some time. After all, their chief objections—as the Senator from Louisiana knows much better than I do—are directed to a study which would not result in the enactment of effective legislation.

Mr. ELLENDER. No; we did not consider a filing of regulations by the Secretary of Agriculture. No proposal was made along the lines suggested by my distinguished friend. However, I want to give assurance to all Senators that we have written a provision into the substitute bill, in no uncertain terms, that legislation will be forthcoming in 2 years. This is not a do-nothing bill.

I desire to pay tribute to the Humane Society. The fact that they have been bringing this matter before Congress in the past 2 or 3 years is causing many slaughtering houses throughout the country to take note that, sooner or later, Congress will act.

I have no doubt in my own mind that if the Department of Agriculture can make a study of humane slaughtering and propose a program, the Department will have no difficulty in getting voluntary compliance on the part of the slaughtering houses before the 2-year period expires.

But if the slaughtering houses do not voluntarily comply, then Congress can

and should act, and pass a bill which would have teeth in it.

I repeat that what the House has passed amounts to nothing. It is not a humane slaughter bill at all, because it is not enforceable except as to those slaughterhouses that sell to the Government.

Mr. JAVITS. May I ask the Senator one more question?

Mr. ELLENDER. Yes.

Mr. JAVITS. It is a fact, is it not, if the Senate does not pass the identical bill passed by the House, the matter will then go to conference and at that time will be subject to negotiation?

Mr. ELLENDER. That is a fact. So far as I am concerned, I am willing to lean over backwards and do anything I can to have an effective humane slaughter bill passed at an early date.

But I am not going to yield to pure emotion and forget the responsibility I owe to my country and the people of my State to legislate in a responsible and realistic manner.

As a matter of fact, the record will show that during the last Congress it was our suggestion that a study be made of this subject, so that we could in time prepare a mandatory bill. Considerable testimony has been given about certain methods which are satisfactory in Europe, and which are also satisfactory in a few slaughterhouses in our own country. But we have yet to hear of any specific methods of humane slaughtering which can be established and made applicable to all animals and be used by the various slaughtering houses throughout the country.

Mr. President, as I pointed out before, the substitute bill now before the Senate provides for research to develop humane methods. If this bill is passed, I offer to present to the Appropriations Committee, before the Congress adjourns, a proposal to obtain money to start the study immediately.

The bill also provides for promotion of the use of humane methods. In the meantime, the Department of Agriculture, as it develops humane methods, can promote the use of such methods. I feel confident if that course is followed, we can have within 2 years humane slaughtering on a voluntary basis, in many slaughterhouses throughout the country. If these methods are not adopted voluntarily, then Congress should, and I feel sure will, act.

I wish to make another point. As I said before, there is no question that if a study is made by the Department, within 2 years it will be able to ascertain specific methods of humane slaughtering. Then would be the time for the Congress to enact legislation which would be effective and would subject slaughtering houses engaged in interstate commerce to the provisions of any measure enacted by Congress.

In the proposed study, the Secretary of Agriculture would have the assistance of an advisory committee, drawn from groups interested in the humane slaughtering movement, which would include the fields of humane treatment of animals, livestock production, ritualistic and other slaughtering methods, animal husbandry, and veterinary medicine. Veterinarians have been involved for this

reason: We have had testimony presented that if any methods are to be imposed without study, it is entirely possible that veterinarians will have great difficulty in obtaining serum for hog cholera. The cost could perhaps be doubled or tripled, because the methods of obtaining serum might be affected by the use of asphyxiating gas. That question has been before the committee. It is true that in order to obtain the serum animals could be slaughtered in slaughterhouses that do not engage in interstate commerce, but the evidence shows that the cost of making the serum might be doubled or tripled. If a study is made, it is entirely possible that even with the use of gas on animals, the blood could be used to make the serum. We do not know that at this time. That is why we need more study.

This is just one example of the many difficulties inherent in the House bill. The record clearly shows that further study into this field is absolutely necessary. In essence, we are attempting to deal with unknown quantities.

It is impossible to say how many other serious problems of this type might arise if we rush into the field of humane slaughter methods without being fully aware of all the possible consequences.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. HUMPHREY. I recall that there was testimony from, I believe, the Anchor Serum Co., which is one of the largest serum companies in the United States, and a company with which my family has done business for 25 years, relating to the problem of hog cholera serum as it may be affected by certain types of so-called slaughtering practices.

The statement of the distinguished Senator from Louisiana, in pointing out what he considers to be a weakness of the bill as passed by the other body, and the weakness of the amendment I have pending at the desk, is to the effect that the proposal applies only to a few slaughtering houses, and that there are more than 3,000 to which it would not apply. Enough cholera serum could be obtained from the 3,000 slaughtering houses to which the bill does not apply. The Senator from Louisiana cannot have it both ways. If the bill does not go far enough in terms of coverage, then it cannot go so far as to thwart the production of hog cholera serum.

I might add that today there are other large slaughtering houses which utilize humane slaughtering practices. Those houses seem to have been doing quite well, both in terms of research in the field of biologicals and serums and in the field of meat products.

Mr. ELLENDER. Mr. President, I intimated to my good friend from Minnesota that it would be entirely possible for slaughtering houses doing intrastate business to furnish sufficient blood for the production of hog cholera serum.

Mr. HUMPHREY. And even those doing interstate business.

Mr. ELLENDER. I made that thought clear, I believe.

Mr. HUMPHREY. Yes.

Mr. ELLENDER. It is also entirely possible that after a study is made by the Department of Agriculture, it might be found that the blood of an animal would not be affected adversely by the use of gas. I believe all those things ought to be studied. The Department of Agriculture stands ready and willing to make the study. The Department would have done so during the last session if the House had acted on the bill the Senate passed last year.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. HUMPHREY. As the Senator knows better than anyone else in this Chamber, there has been in the Department of Agriculture for more than a quarter century a division which deals with serum control. There is a very substantial division in the Department of Agriculture engaged in research in the field of serums, viruses, biologicals, antibiotics, and so forth. There has been nothing to interfere with the Department of Agriculture making such a study long ago.

As I shall show in the debate, humane slaughtering practices are today already utilized by some of the largest slaughtering houses. It is amazing to me that at the very late hour of the last week of the testimony on the bill, the serum companies and the Department of Agriculture should suddenly discover that there may be some problem about serum, although they did not discover it 2 years ago when the hearings were held. Dr. Clarkson, of the Department of Agriculture, was asked again and again whether humane slaughtering practices might be injurious to the research efforts of the Department. I have the record of the testimony.

Furthermore, I want the RECORD to note that I wrote to the Anchor Serum Co. I am familiar with the operations of that company. The business with which my family is associated has sold millions of cubic centimeters of hog cholera serum over a period of 40 years. I wrote to the company to the effect that I considered their efforts not to be very meritorious, because if they were really concerned they should have been concerned before the last 3 days of the hearings, since the bill has been before the Congress for 3 years.

Mr. ELLENDER. Mr. President, the Senator knows that at the time the committee held hearings on the bill it was more or less of a study bill. We had that in mind when we reported the bill. I think the committee was in agreement, including, as I remember, even my good friend from Minnesota.

Mr. HUMPHREY. The original bill was a mandatory bill, and the serum companies did not testify.

Mr. ELLENDER. I believe it was a study bill.

Mr. HUMPHREY. It was a mandatory bill. That is why the Department objected to it.

Mr. ELLENDER. Of course at that time we had not known methods of slaughter which we proved definitely humane. That is the objection now, so far as the Department is concerned.

Mr. HUMPHREY. The Hormel Co. in Austin, Minn., one of the largest meat-packing companies, thinks it has known methods. By the way, the profit percentage of that company is better than the profit percentage of some of the companies which do not think they have known methods. The company has a pretty good operation, as a matter of fact.

Mr. ELLENDER. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a full explanation of the Senate version of the bill.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

EXPLANATION OF H. R. 8308

This bill is designed to bring about the use of humane methods in all livestock and poultry slaughter operations in the United States. With the committee amendment to its text, it provides for:

First, research to develop humane methods;

Second, promotion of the use of such methods; and

Third, submission to Congress within 2 years of a complete legislative proposal requiring adoption by slaughterers of such methods. It would be administered by the Secretary of Agriculture, who would have the assistance of an advisory committee drawn from groups interested in the humane movement, livestock production, ritualistic, and other slaughter operations, animal husbandry, and veterinary medicine.

The committee held hearings on this matter both this year and in 1956, when S. 1636 was reported out and passed by the Senate, but not by the House. All witnesses have favored the adoption of improvements in the humane handling and slaughtering of food animals. There were, however, differences of opinion as to whether it was feasible and desirable to specify acceptable methods at this time and make their use compulsory to a limited extent.

As passed by the House, the bill would have prohibited purchases by the United States after December 31, 1959, of livestock products produced or processed by slaughterers using other than humane methods. The hearings brought out a number of problems with respect to this proposal, the primary problem being a lack of scientific information as to what methods are actually humane. The committee amendment is intended to provide for the research necessary to provide such information so that within 2 years the Secretary should be able to advise slaughterers as to what methods are humane and it should be possible to enact effective legislation to require the adoption of those methods by any slaughterers who have not already adopted them within that period.

The bill would require additional Federal expenditure, estimated at \$250,000 per year for the first 2 years. Expenditures thereafter would depend largely on the action Congress might take on the legislative proposal required to be submitted to it at that time.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield to the Senator from Ohio.

Mr. LAUSCHE. Am I correct in my understanding that the bill as reported by the committee provides the Secretary of Agriculture with authority to conduct, within a period of 2 years, a study of humane methods of slaughter?

Mr. ELLENDER. The Senator is correct.

Mr. LAUSCHE. The bill would direct the Secretary to do certain things. At

the end of 2 years the Secretary would be required to submit what is supposed to be a proposal which would bring into effect humane slaughter of animals. That is, I believe, what is provided in the committee bill.

Will either the Senator from Louisiana or the Senator from Minnesota tell me what the amendment of the Senator from Minnesota provides?

Mr. ELLENDER. In fact, there is no amendment from the Senator from Minnesota before the Senate as yet. The question before us is on agreeing to the amendment the committee submitted to the bill, to strike out the House language. In my judgment, the House language should be stricken.

Mr. LAUSCHE. What does the language of the bill as passed by the House provide?

Mr. ELLENDER. The House version attempts to define humane slaughtering. For instance, if the Senator will turn to section 2, on page 2, beginning at line 4, he will find this provision:

No method of slaughtering or handling in connection with slaughtering shall be deemed to comply with the public policy of the United States unless it is humane. Either of the following two methods of slaughtering and handling are hereby found to be humane:

We have no direct evidence from the Department as to this matter. The Department has none. That is what the record shows.

I shall later read from a letter written by Secretary Benson, dated today, which suggests that the Senate version of the bill providing for a study should be passed.

Mr. LAUSCHE. Was the action of the committee based on the idea that there was not adequate information concerning humane methods of slaughter? Is that the reason why the committee suggested that the study be made?

Mr. ELLENDER. The Senator is correct.

Mr. LAUSCHE. The blow method may kill cattle?

Mr. ELLENDER. But not sheep.

Mr. LAUSCHE. But not sheep.

Mr. ELLENDER. It may stun cattle, but not hogs.

Mr. LAUSCHE. If the asphyxiation method is used, the quantity of gas needed to kill a large animal might have a contaminating effect upon the edibility of smaller animals.

Mr. ELLENDER. That problem is posed by such a method. I do not know what the Hormel method is. It is possible the Hormel Co. may put all pigs of the same size and weight in a tunnel and apply gas. However, when we consider the larger concerns which buy hogs on the market, I do not suppose that process could be followed. It would be very expensive to have to weigh each hog and put the same size hogs in the same tunnel before applying the gas. Such subjects must be studied by the Department. A number of Department of Agriculture scientists testified before the committee to lay bare the facts. No study has ever been made on this subject. However, it is felt a study can be made and that at the end of 2 years

the Department will be in a position to come before us to recommend methods for the slaughter of animals which would be humane and which would be workable.

Mr. LAUSCHE. If I may ask a question on another subject, the orthodox branch of the Jewish faith has been in contact with me rather substantially expressing disapproval of the House version of the bill. Will the Senator from Louisiana repeat the conclusions he reached from the testimony which was given concerning the adequacy of the protection afforded to the orthodox branch of the Jewish faith?

Mr. ELLENDER. The orthodox branch of the Jewish religion takes the position that the bill does not protect them at all. I want to be perfectly frank in saying to the Senator that, according to my information, they do not know of any language which could be added to the bill which would give them protection.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. HUMPHREY. I hope the distinguished Senator from Ohio will read the language in section 6 of the bill as passed by the House of Representatives. That is the language of the amendment which the Senator from Minnesota would offer if the parliamentary situation permitted.

As the Senator from Louisiana said, we shall have to vote on the language proposed by the Senate committee first. If the committee amendment is not agreed to, we will then consider the language of the bill as passed by the House, the original bill. This is the language:

Nothing in this act shall be construed to prohibit, abridge, or in any way hinder the religious freedom of any person or group to slaughter and prepare for the slaughter of livestock in conformity with the practices and requirements of his religion.

I must say that that is as exclusive a proviso as it is possible to draft.

Mr. LAUSCHE. I heard the statement of the Senator from Minnesota that their fear is founded upon the experience of the past, that interference with slaughter, although intended to make them exempt, eventually was used as an oppression of their religion.

Mr. HUMPHREY. The point is—and I can well understand it—that in certain areas of Europe where there was evidence of a practice of vicious antisemitism, some of the strong anti-Semites were also the proponents of humane slaughtering legislation in their respective assemblies or monarchical councils—because many of the countries did not have democratic forms of government. That was just another way to attack the Jewish religion. But those provisions did not contain such a protection as there is in this bill. There was no proviso in the legislation with respect to kosher slaughtering.

Studies were made in the British Parliament—and they are a matter of record, as I shall show later—and testimony of leading experts as to what were humane methods of slaughter was pre-

sented to the British House of Commons. Such methods were prescribed by the British House of Commons. So it is not as though we were venturing into territory which has never been explored. Wherever British law applies, there is the same kind of protection of religious freedom. Previously I was speaking of the 1870's and 1880's.

Mr. NEUBERGER. Mr. President, will the Senator yield for one comment on the question asked by the distinguished Senator from Ohio?

Mr. ELLENDER. I yield.

Mr. NEUBERGER. I wish to make further comment to support what was said by the Senator from Minnesota. Some of the nations of the world which have the utmost respect for and fidelity to the great institution of religious freedom also have humane slaughtering laws. For example, Great Britain, where all of us will agree there is great respect for the rights of the individual with regard to freedom of worship, freedom of speech, and other institutions, has had a humane slaughtering law since 1933, or for more than 20 years.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. LAUSCHE. Does the Senator from Louisiana have an explanation for the motives which prompted the House to make subject to humane slaughtering only such animals as are sold to the Government, and not those which are sold to the general public?

Mr. ELLENDER. That is the penalty attached to the House bill.

Mr. LAUSCHE. What caused the House to divide the two classes?

Mr. ELLENDER. I do not know. I asked Mr. POAGE of Texas, who is the author of the House bill, the direct question. I said, "I believe in humane slaughtering as much as you do, Mr. POAGE. If we should attach penalties to this bill, would you be for it?"

The answer was "no."

Mr. LAUSCHE. The only sanction which is provided is that if humane methods are not used, as defined in the House bill, the slaughterers shall be prohibited from selling to the Federal Government.

Mr. ELLENDER. The Senator is correct.

Mr. LAUSCHE. What about the right to sell to the public?

Mr. ELLENDER. There is no inhibition in that connection.

Mr. LAUSCHE. How many slaughterers sell mainly to the public?

Mr. ELLENDER. All of them—some three-thousand-four-hundred-odd.

Mr. LAUSCHE. Where did the Senator get his figure indicating that 3,000 slaughterhouses would be exempt from the bill?

Mr. ELLENDER. From the testimony before the Senate Committee on Agriculture and Forestry. As I recall, only about 242 slaughterhouses sell to the Government.

I also wish to make the point that the evidence showed that those 242 slaughterhouses prepare for the markets about 91 or 92 percent of all the meat sold in the United States.

Mr. LAUSCHE. Does the Senator from Minnesota have an explanation as to why the two classes were separated?

Mr. HUMPHREY. I have. In my presentation, which I hope the Senator will be present to hear, I shall show that 2 years ago, when the junior Senator from Minnesota introduced a humane slaughtering bill which would have provided for a 5-year time lag from the date the bill was passed until it became mandatory, during which 5 years the Department of Agriculture would prepare the way for the application of humane slaughtering practices, and which would have given the Secretary a proviso under which he could exempt certain firms if it seemed that there was economic hardship, the Department of Agriculture objected to it. It refused to accept the bill. It said it did not need it. Furthermore, representatives of the Department said that they were against the mandatory provisions.

So, in the 85th Congress, when the bills were reintroduced, I reintroduced the very same bill which I had introduced in the 84th Congress. The same thing was done in the House, but it was determined in committee that this seemed to be going too far. Again the Department of Agriculture said, "We do not need mandatory legislation. Do not provide any penalties." There were fines and heavy penalties in the Humphrey bill.

A compromise was arrived at, on the basis that the Federal Government has the right to prescribe standards for goods and commodities it purchases. The Federal Government requires higher standards for the automobile tires it buys for postal trucks than are applicable to the tires which the Senator might buy for a farm truck. But if one is to do business with the Federal Government, he must comply with the standards it prescribes. All the bill provides is that when the Federal Government buys meat products, it will buy only products processed in a certain way. The Federal Government buys biologicals, and a great many types of equipment, all of which must meet certain standards. If Senators do not believe it, let them take a look at the veterans' hospitals, as compared with the ordinary community hospital. Some of the veterans' hospitals will last a thousand years.

Mr. ELLENDER. A similar situation arose in connection with butter. The butter interests forced the Army and Navy to buy nothing but butter, and exclude oleomargarine. I know that the Federal Government can do such things. The point I am making is that if inhumane slaughtering is to be stopped, we should enact a bill which will be effective enough to stop it.

I wish to make this point with my good friend from Ohio: The Department is asked to do something with respect to which it has no facts. That is what Secretary Benson says, and that is what the evidence shows. Section 2 (a) of the House version of the bill provides as follows:

(a) in the case of cattle, calves, horses, mules, sheep, swine, and other livestock, all animals are rendered insensible to pain

by a single blow or gunshot or an electrical, chemical, or other means that is rapid and effective, before being shackled, hoisted, thrown, cast, or cut; or

Those are the prescribed methods, and the Department of Agriculture says, "We do not know whether those methods are humane or not. We have never tried them."

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. HUMPHREY. Is the Senator aware of the fact that Dr. Clarkson testified in May 1956 that the Department of Agriculture had all the authority it needed to make studies, and that the Department of Agriculture was making studies? Is the Senator aware of the fact that Dr. Clarkson testified as to the humane practices of certain packing plants? Is the Senator aware of the fact that on page 4 of the bill as passed by the House—which is the proposal supported by the Senator from Minnesota—under subsections (a) and (b) of section 4, continuation of study is not only authorized but directed?

Moreover, the Secretary may designate other forms of humane slaughter. The authority is permissive. He is given all the authority he needs. The reason for the proviso the Senator from Louisiana has read, in section 2, is that it is commonly agreed that the method of slaughtering which is prescribed in subsection (a) and subsection (b) of section 2 is a humane method. That is agreed.

Mr. ELLENDER. The evidence is very conflicting on that point.

Mr. HUMPHREY. The evidence is conflicting as to what may be the results of some of the practices.

Mr. ELLENDER. The Senator knows that a single blow may stun a calf but not a steer. That is in the evidence. Yet the same method is used.

Mr. HUMPHREY. The Secretary is permitted, as section 4 provides, to make such designation. I will read the language.

Mr. ELLENDER. Oh, yes; but he must do it after research.

Mr. HUMPHREY. I ask the Senator to wait a moment.

Mr. ELLENDER. He must do it after research.

Mr. HUMPHREY. Section 4 authorizes the Secretary "on or before June 30, 1958, and at such times thereafter as he deems advisable, to designate methods of slaughter and of handling in connection with slaughter which, with respect to each species of livestock, conform to the policy stated herein. If he deems it more effective, the Secretary may make any such designation by designating methods which are not in conformity with such policy."

The Secretary can do whatever his researchers and technicians prescribe as being accepted methods. The bill is very complete.

Mr. ELLENDER. That shows that the bill which has been reported by the Senate committee is the one that should be passed. It strikes me we should not enact such provisions which would direct the Secretary of Agriculture to select specific methods of slaughter-

ing when he has had no opportunity to have studies made on the various methods.

I repeat what I said a while ago, that the good ladies who have been conducting a campaign throughout the country to bring about humane slaughtering are doing a great deal of good. They will be represented on the commission which is provided for in the Senate bill. The studies can be made within 2 years. I know that much good will result. We have the assurance that the methods will be studied. I have no doubt in my mind that within 2 years we will have effective methods of humane slaughtering which will be applicable and acceptable to all segments of the meat industry. We will be able to make these methods apply to everyone in the meat-packing industry, and we will be able to provide penalties in the act for non-compliance. That is what all of us want.

I am sure that many Senators have received letters from persons in favor of humane slaughtering, which say that they have found bacon for instance, to be distasteful after reading statements issued by the humane societies.

I wish to say to my good friends, who are advocating humane methods, that the House bill will not cure that situation. All citizens, all Senators, all Members of the House will still be eating the same kind of bacon they are eating now if the House bill is enacted.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. SYMINGTON. The distinguished chairman has served on the committee for many years. Could he tell the Senate how long a humane slaughter bill has been before the committee?

Mr. ELLENDER. It has been before the committee ever since 1956. The Senate passed a humane slaughter study bill without opposition in 1956, and sent it to the House. However, the House pigeonholed the bill.

Mr. SYMINGTON. The Department of Agriculture is against a humane slaughter bill, is it?

Mr. HUMPHREY. It is in favor of humane slaughter practices, but against the bill.

Mr. SYMINGTON. There is the problem. I believe it is the prerogative of Congress to decide whether there should be a humane slaughter bill, not the people currently in the Department of Agriculture.

Mr. ELLENDER. I am as much in favor of a humane slaughter bill as is anyone else, but I am in favor of an effective bill. That is what I am striving for. If the bill which was passed in 1956 had been adopted by the House, we probably would be in a position to pass an effective humane slaughter bill today.

I believe the Senator from Minnesota was chairman of a subcommittee which held hearings on such a bill, and I believe the subcommittee was appointed for that purpose. I must confess that I did not hear the testimony. However, I conducted hearings during the present Congress on the pending bill. I am personally of the opinion that we will be

much better off if an effective study bill is passed. This will lead to effective methods of humane slaughter as outlined by the Department of Agriculture and will be much preferable to passage of an ineffective bill.

Mr. SYMINGTON. I am sure the Senator is in favor of a humane slaughter bill just as much as I am. Knowing the Senator, I am sure he would always be for such a measure. It seems to me the problem now is, when are we going to get a bill? We are not sure we will get it after a study has been made. What worries me the most is the religious aspect of the bill.

Mr. McNAMARA. I should like to ask the Senator from Minnesota a question, if I may.

Mr. ELLENDER. I yield for that purpose.

Mr. McNAMARA. I was quite impressed by the amendment the Senator proposes to offer in connection with slaughtering in compliance with religious ritualistic practices. I should like to ask the Senator a question on that point.

Would the Senator's amendment exempt such ritualistic slaughtering from any inspections by the Federal Government? Would such slaughtering be totally exempt?

Mr. HUMPHREY. That is correct. It would be totally unaffected. Furthermore, no Federal purchases are made of kosher meat. The testimony reveals that fact.

Mr. McNAMARA. The Federal Government would not be able to purchase the meat because it had not been federally inspected.

Mr. HUMPHREY. Testimony shows the Government does not purchase Kosher meat.

Mr. McNAMARA. Such slaughtering is totally exempt?

Mr. HUMPHREY. That is correct.

Mr. McNAMARA. Does the Senator from Louisiana agree with that statement?

Mr. HUMPHREY. The testimony before the committee is that there are no Federal purchases of kosher meat made. The end product of ritualistic slaughter would not be purchased by the Federal Government. My amendment provides, in the language of the House bill:

Nothing in this act shall be construed to prohibit, abridge, or in any way hinder the religious freedom of any person or group to slaughter and prepare for the slaughter of livestock in conformity with the practices and requirements of his religion.

That provides complete exemption so far as religious practices are concerned. According to the testimony there have been no purchases by the Federal Government of kosher products.

Mr. McNAMARA. However, the language does not spell out the prohibition of inspections or inspectors going into a plant. Is it to be assumed, and is it to be a part of the legislative history, that inspectors would have no business going into such plants?

Mr. HUMPHREY. Such plants are exempt, and therefore are not subject to inspection under the regulations which are prescribed relating to slaughter.

Mr. McNAMARA. The question in my mind is: Should we spell it out in the bill?

Mr. HUMPHREY. I do not think so, since there is listed, first, the humane slaughtering practice, which, as the language reads, is "in accordance with the ritual requirements of the Jewish faith or any other religious faith."

That is in the bill in two places, first where it is listed affirmatively as a humane practice; and second, where religious practices are exempt.

So I think there is no need for intrusion by the Federal Government as there has been, I may say, in the past.

Mr. YOUNG. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. YOUNG. I should like to ask the Senator from Minnesota: Is the kosher practice of slaughtering any more humane than the method pursued in the packing plants of the United States?

Mr. HUMPHREY. Yes; I think definitely, it is. I think there is a body of testimony which is incontrovertibly to the effect that it is. In fact, substantial medical surveys and studies have been made, which indicate that it is.

Mr. YOUNG. Is the Senator from Minnesota familiar with the kosher method of slaughtering?

Mr. HUMPHREY. Very much so.

Mr. YOUNG. In which the animal is hung by a back leg, and with a shoulder resting on the ground, while the throat is slit, without any effort being made to render the animal unconscious?

Mr. HUMPHREY. I am not a physician or a veterinarian; but testimony by doctors and veterinarians before the subcommittee, when it was my privilege to serve as the subcommittee chairman, was that the result of a study which had been made clearly established the ritualistic practice as being one which met the requirements of humane slaughter.

Mr. YOUNG. I am not condemning the practice; but I think anyone who has visited a kosher packing plant must know that what I am saying is true: That the animal is hung by a back leg, with its shoulder on the ground, while its throat is slit. That is not much different from any other method.

Mr. HUMPHREY. Oh, there is a considerable difference.

Mr. YOUNG. I do not think we should impose this requirement on the Jewish people. We are placing them in a position of being singled out for ridicule or undeserved criticism.

Mr. HUMPHREY. There was no need for raising the question except that opposition to the bill from outside Congress determined to do so. Frankly, there is no intention on the part of the bill or of anyone who sponsored the bill to interfere with the ritualistic or religious practices of any group. The bill does not apply to any particular religion.

Certain economic sources outside the Government of the United States, which have decided to resist the proposal, have undertaken to recruit what I consider to be a good deal of emotional support, which is unfortunate—very unfortunate.

Mr. YOUNG. I think most of the emotional support for the bill has been

created by persons who have no knowledge of how animals are slaughtered in packing plants.

Mr. HUMPHREY. I am very familiar with packing plants. Minnesota has about as many as does any other State in the Union. We have some good ones. I have visited them. I am thoroughly familiar with them and have been from the time I was 16 years of age until this particular hour. So I am not a novice in this subject.

Mr. YOUNG. I do not have reference to the Senator from Minnesota.

Mr. HUMPHREY. No; but I wanted to make the RECORD quite clear. I have also seen a humane-slaughtering packing plant, about which I shall speak later. The difference between it and other types of packing plants is quite phenomenal.

One of the finest packing plants in the United States is in Minnesota and is operated by Hormel. This is not a small plant; it is a large one. It is comprised of several plants. It does very fine work.

I expect to show that the present practice of slaughtering is one reason why the packing industry has financial troubles. The packing industry is one of the most antiquated, outmoded industries in the United States. When it starts to modernize, it will make money, be able to pay its employees higher wages, and produce better quality food.

Mr. YOUNG. I think the Senator is familiar with the way in which turkeys are slaughtered. A turkey is hung up by a leg, and a knife is stuck into the brain of the turkey and the jugular veins cut. A turkey is much more sensitive than a hog. Why does not the bill apply to turkeys?

Mr. HUMPHREY. It can, under section 4, if the Secretary of Agriculture so designates.

Mr. YOUNG. Why does not the bill spell that out?

Mr. HUMPHREY. No; we do not go that far. This is a peculiar situation. The proponents of what I call an effective bill are accused, on the one hand, of going too far, and, on the other hand, of not going far enough. The bill is a mild and modest beginning in the field of humane slaughter.

Mr. YOUNG. Why is the Senator opposed to a study, as the committee bill provides?

Mr. HUMPHREY. Because the Government has the right to impose standards; and when the Department of Agriculture was asked to support such a bill 2 years ago, which I shall read page by page, we allowed them 5 years, but they said, no, they had all the authority they needed. Dr. Clarkson said, in effect, "We have been studying this question for 26 years. We do not need any more study."

Mr. YOUNG. If the bill were passed today and became law within 2 months, we would not be able to supply American meat to our Armed Forces in Lebanon or in many other places. Even the Hormel plant in Minnesota would not meet the requirements for meat.

Mr. HUMPHREY. Why not?

Mr. YOUNG. It simply could not meet the requirements.

Mr. HUMPHREY. It surely could.

Mr. ELLENDER. Mr. President, at this time I should like to conclude my statement by pointing out again the problems which will be involved if the Senate should adopt the House bill.

Some of the basic problems inherent in the House bill, for which none of the witnesses was able to afford a solution, were as follows:

First. The House bill provided for the designation of humane methods by the Secretary of Agriculture. The Department of Agriculture advised the committee—and this is in the testimony—that it had insufficient scientific information to make such a determination at this time.

Second. The House bill attempted to specify two methods which should be considered humane; but it is not possible to point to any known methods of handling and slaughter and to state with assurance that they come within the House provisions.

Thus, the first method requires that "all animals are rendered insensible to pain by a single blow or gunshot or an electrical, chemical, or other means that is rapid and effective."

No method of rendering all animals insensible with a single blow or gunshot is known; although the knocking hammer, which many witnesses regarded as inhumane, and the captive-bolt pistol and humane animal stunner, which many witnesses regarded as humane, will all, to varying degrees, render many animals insensible with a single blow.

Electrical stunning may make meat inspection difficult, and there has been little experimentation with it in this country. The testimony is replete to that effect. There is considerable question whether electrical or chemical means could be used on the various species or on animals of varying weights in an effective, humane manner. All of this was pointed out before in detail.

Chemical asphyxiation is now in use by the Hormel Packing Co., for hogs of fairly uniform weight. It is not used for other animals.

Finally, the phrase "other means that are rapid and effective" is too broad and indefinite a term to form the basis for a criminal penalty. Certainly, it would appear to cover the knocking hammer, which many witnesses believe would be prohibited by the proposed legislation, so far as Government suppliers are concerned.

Mr. President, it appears that the intent of this legislation is ideal, but the lack of scientific knowledge is so complete that the House bill has been written in the vaguest of terms. Let us see what it provides: First, the supplier must certify to the Government that another person, the slaughterer, does not in any of its plants handle or slaughter any animal inhumanely. Further, he must certify that no affiliate of such slaughterer handles or slaughters any animal inhumanely in any of its plants. How can the supplier possibly know the truth of what he is asked to certify? How could even the slaughterer, himself, have such information? At the very moment

the certificate is being executed, an affiliate, possibly even in a foreign land, may be mistreating some animal that is trying to avoid the blow from the knocking hammer or the captive-bolt pistol. Second, even if the supplier could know what is happening in every plant of every affiliate of the slaughterer, how can he know that what is happening is humane? Well the bill says that the Secretary will tell him. But the Secretary says he does not know. So how can such a certificate be executed? Third, the House, too, was advised that the Secretary did not know, so they attempted to remedy that defect. They said in section 2 (a) that any method by which all animals are rendered insensible by a single blow is humane. But all witnesses agree that no method will render all animals insensible with a single blow. So the person who executes this certificate is faced with the question as to what Congress did mean, since it must have had some intention in the matter. The entire bill is vague and necessarily so, because the answers simply are not known. Many other instances could be given, but these examples typify the provisions of which the bill consists. This is why the committee provided for further study.

The other method of slaughtering specified by the House bill as being humane was that which meets the requirements of any religious faith. The debate on this matter in the House, the letters from the Department of Agriculture dated April 15, and May 13, and the testimony of witness after witness at the hearings all indicate that this provision did not succeed in meeting the problem to which it was directed.

Third. Apparently the only method of slaughtering hogs which met the approval of many of the witnesses was that by carbon dioxide asphyxiation. This method appears to have many advantages, and appears to meet the standards of many persons as to humaneness. However, there are also many questions as to its use which have not yet been answered. Its installation is costly and may be impossible in many plants.

Fourth. The House bill covers only Government suppliers of meat and does not apply to poultry. When humane methods are established, they should be generally applicable to all meat products.

Fifth. By limiting Government purchases to packers using only humane methods, the bill as passed by the House would eliminate bidders, raise procurement costs, and in some cases result in failures of supply for troop feeding and other purposes, particularly overseas.

Sixth. Surplus removal programs, such as those conducted under section 32, would be seriously impaired.

Seventh. The bill as passed by the House could interfere with the production of adequate and safe supplies of serums and vaccines necessary to the treatment of diseases in animals and human beings.

Mr. President, as I have stated, today I have received from the Secretary of Agriculture, Mr. Benson, the following letter:

DEPARTMENT OF AGRICULTURE,
Washington, D. C., July 29, 1958.

HON. ALLEN J. ELLENDER,
United States Senate.

DEAR SENATOR ELLENDER: I am writing to urge your support of H. R. 8308, an act "to establish the use of humane methods of slaughter of livestock as a policy of the United States, and for other purposes," as reported by the Senate Committee on Agriculture and Forestry (Rept. No. 1734) on June 18, 1958.

That is the bill I have been discussing. I read further from the letter:

The strongest personal convictions favor adoption of the best and surest way to bring real and lasting improvement in this field. To do this requires the evaluation of methods with scientific knowledge to assure that the measures adopted are humane. When this is done, the industry and the State and local jurisdictions, who will undoubtedly follow the Federal lead, can move forward with confidence that each step taken is a real improvement.

The Senate committee bill provides for just such an approach. The Department is given 2 years within which it must submit to the Congress a complete legislative proposal setting out those methods of slaughter found to be humane and requiring their adoption by slaughterers. This would provide the Congress with a fully objective proposal substantiated by fact and scientific judgment on which constructive compulsory legislation could be based. Surely the record of divergence of views that has attended the consideration of this legislation commends this orderly approach adopted by the committee.

On the other hand, the bill as it passed the House and which is contained in the amendment now proposed by Senator HUMPHREY, would place upon the Department the burden of making immediate determinations without adequate factual background in order that industry may have time to comply by December 31, 1959. Even then industry could comply or not according to whether the individual concern considered sales to the Federal Government to be profitable. We believe the result would be a hodgepodge of actions taken on insecure factual background with doubtful improvement in the humanity of slaughter practices and an almost certain costly interference with the Federal procurement of meat and meat products.

A similar letter is being sent to Senator JOHNSON the majority leader, and to Senator KNOWLAND the minority leader.

Sincerely yours,

E. T. BENSON,
Secretary.

Mr. President, I have nothing further to say. I hope the Senate will approve the committee amendments.

Mr. HUMPHREY. Mr. President, first of all, I wish to thank the Senator from Louisiana [Mr. ELLENDER] for his customary courtesy in yielding to me and other Senators during his presentation of the bill reported by the Committee on Agriculture and Forestry. I really believe that that informal debate, which was permitted by courtesy of the Senator from Louisiana, has been helpful, and at least establishes the understanding of the respective Senators concerning the bill reported by the Senate committee, as compared to the bill which has been passed by the House of Representatives.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the bill as passed by the House of Representatives. The language of that bill is incorporated in the amendment which I—on behalf of myself and

other Senators—placed before the Senate a few days ago. So I wish to have that language printed at this point in the RECORD, so all Senators can see the difference between the language of the bill as passed by the House and the language adopted by the Senate Committee on Agriculture and Forestry.

There being no objection, the bill (H. R. 8308), as passed by the House of Representatives on February 4, 1958, was ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That the Congress finds that the use of humane methods in the slaughter of livestock prevents needless suffering; results in safer and better working conditions for persons engaged in the slaughtering industry; brings about improvement of products and economies in slaughtering operations; and produces other benefits for producers, processors, and consumers which tend to expedite an orderly flow of livestock and livestock products in interstate and foreign commerce. It is, therefore, declared to be the policy of the United States that the slaughtering of livestock and the handling of livestock in connection with slaughter shall be carried out only by humane methods.

SEC. 2. No method of slaughtering or handling in connection with slaughtering shall be deemed to comply with the public policy of the United States unless it is humane. Either of the following two methods of slaughtering and handling are hereby found to be humane:

(a) In the case of cattle, calves, horses, mules, sheep, swine, and other livestock, all animals are rendered insensible to pain by a single blow or gunshot or an electrical, chemical, or other means that is rapid and effective, before being shackled, hoisted, thrown, cast, or cut; or

(b) By slaughtering in accordance with the ritual requirements of the Jewish faith or any other religious faith that prescribes a method of slaughter whereby the animal suffers loss of consciousness by anemia of the brain caused by the simultaneous and instantaneous severance of the carotid arteries with a sharp instrument.

SEC. 3. The public policy declared herein shall be taken into consideration by all agencies of the Federal Government in connection with all procurement and price-support programs and operations, and after December 31, 1959, no agency or instrumentality of the United States shall contract for or procure any livestock products produced or processed by any slaughterer or processor which in any of its plants or in any plants of any slaughterer or processor with which it is affiliated slaughters or handles in connection with slaughter livestock by any methods other than methods designated and approved by the Secretary of Agriculture (hereinafter referred to as the Secretary) pursuant to section 4 hereof: *Provided*, That during the period of any national emergency declared by the President or the Congress, the limitations on procurement required by this section may be modified by the President to the extent determined by him to be necessary to meet essential procurement needs during such emergency. For the purposes of this section a slaughterer or processor shall be deemed to be affiliated with another slaughterer or processor if it controls, is controlled by, or is under common control with, such other slaughterer or processor. After December 31, 1959, each supplier from which any livestock products are procured by any agency of the Federal Government shall be required by such agency to make such statement of eligibility under this section to supply such livestock products as, if false, will subject the maker thereof to prosecution, title 18, United States Code, section 287.

SEC. 4. In furtherance of the policy expressed herein the Secretary is authorized and directed—

(a) To conduct, assist, and foster research, investigation, and experimentation to develop and determine methods of slaughter and the handling of livestock in connection with slaughter which are practicable with reference to the speed and scope of slaughtering operations and humane with reference to other existing methods and then current scientific knowledge;

(b) On or before June 30, 1958, and at such times thereafter as he deems advisable, to designate methods of slaughter and of handling in connection with slaughter which, with respect to each species of livestock, conform to the policy stated herein. If he deems it more effective, the Secretary may make any such designation by designating methods which are not in conformity with such policy. Designations by the Secretary subsequent to July 1, 1959, shall become effective for purposes of section 3 hereof 180 days after the publication in the Federal Register;

(c) To provide suitable means of identifying the carcasses of animals inspected and passed under the Meat Inspection Act (21 U. S. C. 71 and the following) that have been slaughtered in accordance with the public policy declared herein.

SEC. 5. To assist in implementing the provisions of section 4, the Secretary is authorized to establish an advisory committee. The functions of the Advisory Committee shall be to consult with the Secretary and other appropriate officials of the Department of Agriculture and to make recommendations relative to (a) the research authorized in section 4; (b) obtaining the cooperation of the public, producers, farm organizations, industry groups, humane associations, and Federal and State agencies in the furtherance of such research and the adoption of improved methods; and (c) the designations required by section 4. The Committee shall be composed of 12 members, of whom 1 shall be an officer or employee of the Department of Agriculture designated by the Secretary (who shall serve as chairman); 2 shall be representatives of national organizations of slaughterers; 1 shall be a representative of the trade-union movement engaged in packinghouse work; 1 shall be a representative of the general public; 2 shall be representatives of livestock growers; 1 shall be a representative of the poultry industry; 2 shall be representatives of national organizations of the humane movement; 1 shall be a representative of a national professional veterinary organization; and 1 shall be a person familiar with the requirements of religious faiths with respect to slaughter. The Department of Agriculture shall assist the Committee with such research personnel and facilities as the Department can make available. Committee members other than the chairman shall not be deemed to be employees of the United States and are not entitled to compensation, but the Secretary is authorized to allow their travel expenses and subsistence expenses in connection with their attendance at regular or special meetings of the Committee. The Committee shall meet at least once each year and at the call of the Secretary and shall from time to time submit to the Secretary such reports and recommendations with respect to new or improved methods as it believes should be taken into consideration by him in making the designations required by section 4 and the Secretary shall make all such reports available to the public.

SEC. 6. Nothing in this act shall be construed to prohibit, abridge, or in any way hinder the religious freedom of any person or group to slaughter and prepare for the slaughter of livestock in conformity with the practices and requirements of his religion.

Amend the title so as to read: "A bill to promote and encourage humane slaughtering of livestock and poultry."

Mr. HUMPHREY. Furthermore, Mr. President, I wish it to be clearly understood that the text of the bill reported by the Senate Committee on Agriculture and Forestry was not approved by all the members of the committee; instead, in the committee there was a split vote, as has been evidenced by the debate in the Senate today. In fact, in the committee the vote was rather close. I am not exactly sure, but, as I recall, 5 members of the committee favored the bill as passed by the House of Representatives, and the other members of the committee—8 or 9; I have forgotten whether the full committee was present—supported the language which has been reported by the Senate committee.

Mr. YOUNG. Mr. President will the Senator from Minnesota yield to me?

The PRESIDING OFFICER (Mr. CHURCH in the chair). Does the Senator from Minnesota yield to the Senator from North Dakota?

Mr. HUMPHREY. I yield to my good friend, the Senator from North Dakota.

Mr. YOUNG. Mr. President, I appreciate the courtesy of the Senator from Minnesota, a good friend of mine, too, in yielding to me.

As one of those who voted, in the committee, for the substitute bill, I wish to commend the Senator from Minnesota for his objective of attaining humane slaughtering.

My reason for voting in the committee for the study bill is that I believe something of that sort is necessary before legislation of this kind is enacted. That belief on my part is an honest one. I sincerely believe that something desirable can be accomplished by means of more humane slaughtering methods; but I do not think we can achieve that objective by legislation of the kind proposed by the House bill. That is why in the committee I voted for the substitute.

Mr. HUMPHREY. Mr. President, let me say to my good friend, the Senator from North Dakota—and there is no finer friend of the objectives of the bill, and there is no finer friend of agriculture generally, than the Senator from North Dakota; and I will say that again and again and again, so as to make clear that this matter is a bipartisan one.

Mr. YOUNG. I thank the Senator from Minnesota.

Mr. HUMPHREY. I want the Senator from North Dakota to understand that even the bill as passed by the House of Representatives provides for two effective dates. The first date—which must be modified by the Senate, because that date already has passed—was June 30, 1958, the time after which the Secretary would have been permitted to promulgate rules and regulations.

The second date—which I believe to be rather significant—is December 31, 1959. That is the date by which each supplier of livestock products procured by any agency of the Federal Government shall be required by such agency to make such a statement of eligibility.

In other words, provision was made for a period of a year and one-half before

the proposed statute would become effective; and that proposal was contained in both the bill as passed by the House of Representatives, and the original form of the bill reported by the Senate Committee on Agriculture and Forestry. In other words, the House version of the bill, if passed this week, and sent to the President for his signature, and if signed by the President on August 1, would not become effective immediately on August 1. Instead, there would be a period of time—and at the appropriate time, if our effort to have the Senate reject the language reported by the Senate committee is successful, I shall submit amendments to provide for additional time—before the bill would become effective, in terms of the authority of the Secretary to promulgate rules and regulations. I would suggest that that date be March 1, 1959, because the Secretary must have time in which to prepare such rules and regulations.

Furthermore, the bill as passed by the House of Representatives provided for a time gap, which would be required, as a matter of sheer common sense, in order to permit the respective slaughterhouses to adjust their facilities to the requirements of the proposed legislation. Certainly, a sufficient period of time should be provided for.

So I call attention to this point, because it has been argued that, "Under the provisions of the study bill, there will be study over a period of 2 years." However, I respectfully suggest that if the action bill—in other words, the bill which provides for some Federal standards—is enacted, there will be a period of at least 1 year, and perhaps longer, because the period provided in the bill as passed by the House was a year and one-half; and the time between the date when the Secretary issues the rules and regulations and the date of full compliance will be a period for more study, and a period during which there will be no mandatory provision.

It is during that period of time that I believe there will be an opportunity to fulfill some of the legitimate desires of some of our colleagues who have felt there was need for more study.

This point has not been emphasized before, so I believe it only fair that it be emphasized now, because I believe the bill as passed by the other body—namely, the measure which I hope will be passed by the Senate—includes what we call enforcement provisions, namely, provisions on the basis of Federal standards applicable to the purchase of goods by Federal agencies. In that connection, those enforcement provisions are to be applied only after a certain period of time, as follows:

First, the Secretary is to promulgate rules and regulations, as of a certain date.

Second, at a later date the suppliers are to certify their eligibility under those rules and regulations.

Therefore, there is no rush in terms of trying to push business firms beyond their ability and financial capacity to make necessary adjustments in production facilities to comply with the bill.

I noted, during the discussion, 1 or 2 points which I feel should be given a further word of comment. I said earlier, in colloquy with the Senator from Louisiana, that it was a rather strange situation when, on the one hand, those of us who have proposed humane slaughtering practices legislation have been criticized—and I may say constructively criticized—because some persons thought we were going too fast and too far with mandatory legislation. Two years ago one of the chief criticisms against the humane slaughtering practices bill which I introduced was that it contained provision for penalties, as the testimony will show. I have before me the testimony which was taken before our subcommittee in sessions on May 9 and 10, 1956. I note for the RECORD that at those sessions testimony started at 10 o'clock in the morning and continued on until midnight for 2 days—in fact, 14 hours a day.

At that time we were criticized because we were trying to invoke or impose penalties. Now the argument is made that the proposed legislation supported by the junior Senator from Minnesota and others, the measure as adopted by the House, really does not provide for any penalties. The only penalty, if one can call it such, is that if a slaughterhouse wishes to sell to the Federal Government, it will have to comply with certain standards imposed by the bill.

I submit one cannot have it both ways. As I answered the question of, I believe, the distinguished Senator from Ohio [Mr. LAUSCHE], the House bill which came to the Senate, and which was identical with the bill introduced by the junior Senator from Minnesota, is a moderate, modest compromise, with provision for voluntary study and very extensive mandatory provisions. The bill of 1956 went much further than did proposal adopted by the House in 1958.

Another point made is that a study bill is required because the Department of Agriculture really needs more time to determine what are humane methods of slaughter. I would call the attention of the Senate to page 5 of the hearings of May 9, 1956, on the bill before the subcommittee then functioning, S. 1636, the testimony of the Deputy Administrator of the Agricultural Research Service, Dr. M. R. Clarkson, along with Dr. A. R. Miller, Chief of the Meat Inspection Branch of the Agricultural Research Service, United States Department of Agriculture.

Dr. Clarkson notes in this testimony that:

The act would take effect 5 years after the date of enactment. The Secretary would be empowered to exempt any person from compliance for a further reasonable time only upon the recommendation of the advisory committee and upon a showing of good cause.

The same bill provided for exemptions because of religious practices. Then Mr. Clarkson said:

There is widespread interest in this legislation. It is important, therefore, that the Department's position be clear. We emphatically favor humane slaughter by any

method that is found to be practicable and workable. The Department's position is strongly in favor of the objective of this bill. But we registered opposition to the bill on the grounds that mandatory Federal legislation is not the answer to this problem.

This is a field in which education and cooperation will bring more satisfactory results through the stimulus of individual initiative and imagination which is so often hampered by the weight of controls imposed from Washington.

Then Dr. Clarkson goes on to point out the amount of research which has been under way. He indicates further on in his testimony, in answer to questions, that for some 26 years there has been research in the matter of handling of livestock. I quote from page 12 of the testimony. Dr. Clarkson said:

Mr. Chairman, I might say that I certainly agree with you that methods that are both humane and practical and economic will be put into effect.

If they are economically advantageous, then it needs only to be pointed out.

That really is part of our thesis, that this process of education and experimentation and looking into new devices is a constant one. We know from our relationships—and if you will pardon a personal reference, I have been associated with our meat inspection and animal-disease-control activities of the Department for some 26 years—I have seen a very decided improvement in the attitudes of all who are handling livestock from the farmer on to the last handler, and I think that is a result of a higher educational level in our people generally and a better realization of these problems.

Then Dr. Clarkson in his testimony proceeds to underscore the necessity of further experimentation, education, and innovation to attain the objectives of humane slaughter.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. LANGER. I have been busy in the Judiciary Committee all morning, and therefore I miss a part of the distinguished Senator's speech. Can the Senator from Minnesota tell me how many slaughterhouses will be affected?

Mr. HUMPHREY. The number would be approximately 300 of the major slaughterhouses. I believe the chairman gave a more exact figure—242, to my recollection.

Mr. LANGER. The Senator from North Dakota has been getting telegrams and telephone calls stating that the approximate cost to a packer will be \$200,000.

Mr. HUMPHREY. That is not true.

Mr. LANGER. Can the distinguished Senator tell me what it would cost?

Mr. HUMPHREY. I am going to present documentary evidence from the testimony as to the cost involved. For example, the Hormel packing plants have developed certain humane slaughtering practices, and the mechanism for those practices—

Mr. LANGER. That plant is located at Austin, Minn.

Mr. HUMPHREY. Yes. For instance, the carbon dioxide unit for humanely handling 60 hogs an hour costs about \$6,500. According to the testimony, Hormel itself spent \$200,000 on the development of its first installation, and

therefore it has been asserted that the use of carbon dioxide is impractical for small packers. The figure given represented the cost of the research that went into the method. I assure the Senator that since that time many packers have adopted the same practices and have found that, instead of costing them money, those practices have improved their profit statements and their general economic conditions.

Mr. LANGER. Will the Senator yield for a further question?

Mr. HUMPHREY. Yes.

Mr. LANGER. I should like to understand the Senator's objection to a 2-year study.

Mr. HUMPHREY. The provisions the junior Senator from Minnesota supports still provide for a study.

Mr. LANGER. A 2-year study?

Mr. HUMPHREY. No; it provides for a continuing study, not only for 2 years, but all the way down the line.

Furthermore, the bill we are supporting provides that it shall not go into effect for a year and a half after the promulgation of the orders or regulations of the Secretary of Agriculture.

The 2-year study which is being proposed by the committee is a 2-year study of delay, with no assurance at all there will be any action.

I wish to repeat that the Department of Agriculture assured me 2 years ago it was going to make such a study as this, and the testimony will so reveal. Two years ago the Department said it was not only going to make the study, but that it had been making one. We are asking that the study be continued, but we are also asking that during the time the study continues, the Federal Government shall impose certain standards and say to packers who wish to sell to the Federal Government, certain standards will be maintained. The bill as it passed the House provides:

After December 31, 1959, each supplier from which any livestock products are procured by any agency of the Federal Government shall be required by such agency to make such statement of eligibility under this section to supply such livestock products as, if false, will subject the maker thereof to prosecution, title 18, United States Code, section 287.

Mr. LANGER. The House had extended hearings on the bill, did it not?

Mr. HUMPHREY. Yes. The House subcommittee actually went into the field, and to the packing plants. The subcommittee went to the countryside, as well as holding hearings in Washington.

Mr. LANGER. I am grateful to the distinguished Senator for his comments.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. HICKENLOOPER. The Senator he said that there seems to be some testimony in the RECORD before the committee that packers which had installed some of the methods the Senator proposes found them to be more efficient and actually more profitable.

Mr. HUMPHREY. That is true.

Mr. HICKENLOOPER. I recall there was a claim made to that effect by cer-

tain lobbying groups, and perhaps some evidence presented by some packer.

Mr. HUMPHREY. The Hormel Co. itself testified. I have the testimony of the Hormel Co. I do not think such a company would lie.

Mr. HICKENLOOPER. No. That is a very reputable group. The Hormel Packing Co. is not exactly unique, but it is more of a specialized operation.

Mr. HUMPHREY. The company has done quite well. What is so specialized about the company, may I ask the Senator?

Mr. HICKENLOOPER. Its products.

Mr. HUMPHREY. The only thing special is that they are extra good. The company slaughters beef cattle and slaughters hogs. The company makes all kinds of cold meats and sausage. I have been through the plants.

Mr. HICKENLOOPER. The packing industry has never been one which threw profits down the drain.

Mr. HUMPHREY. I would not say that for sure, I will say to the Senator.

Mr. HICKENLOOPER. So far as I know the packing companies have never followed any policy which was wasteful, so far as they were aware. Therefore, if these methods were more efficient and would save money, thereby making more money for the packing industry, I submit that every packer in the United States would long since have been using them.

Mr. HUMPHREY. We would think so, but I submit that at the time the Federal meat inspection law was under consideration the packers fought the enactment of such a law as though it would be equal to the plague, even though the Federal meat inspection has been desirable, profitable, and helpful. We would think at times the packers would have been able to see further down the line, but it was not until there was an exposé of the "jungle," as the Senator may recall, that we got Federal meat inspection.

I must also say that we would have thought, as to poultry inspection, for a period of time the producers would have found that to be profitable. They finally did, but at first there was resistance. Now we have a compulsory Federal poultry inspection law on the books.

Mr. HICKENLOOPER. Of course, inspection in the interest of public health is totally different from what is provided in the bill under consideration, with respect to the so-called humane slaughter of animals.

There is one thing which bothers me. I think perhaps every Member of this body, without exception, is interested in securing, if possible, a really humane method of slaughter.

Mr. HUMPHREY. Yes.

Mr. HICKENLOOPER. We had testimony, which convinced the committee, at least, that the methods which have been suggested and which are now proposed to be written into law as standards actually provide no assurance of being any more humane than the methods now being used. We are asked to prescribe certain criteria, which may change in a year or two. A packing plant may have to convert at great expense—and it will be a substantial expense if there is a

conversion—and then may find in 2 or 3 years some other method has been devised or developed which is considered to be much more humane, so that the law will again be amended and the factory operation must once more be changed.

I believe that as rapidly as a general and proved method of humane slaughter is developed the packing plants will convert on their own initiative. The plants do not need a law to cause them to follow practices which are humane.

I have not been convinced by the hearings that the bill does prescribe a really humane method of slaughter.

I invite attention to the fact that there is in the bill another element which is also of importance. The attempt is made to provide by law that a method of killing adopted by a religious group is in fact humane because the law says it is. I am not passing upon that question, and I certainly do not want to interfere with the deep religious convictions and beliefs of any group. However, it is an incongruity in the law when we arbitrarily say that for certain classes a particular method may be used, because we say it is humane, and other methods need not be employed. As I have said, I do not want to interfere with the deep religious beliefs of any group, but I think such a provision is not consistent in a law.

I believe a study should be made of this matter, as is provided in the bill as it came from the committee. The committee amendment would direct that the subject be studied. As a result it may be possible to ascertain a practical, really workable, and really humane method of slaughter. At least the direction is provided in the bill, and I think it should be given a chance to operate.

Mr. HUMPHREY. I thank the Senator from Iowa. He expresses a point of view which is held by many. There are honest differences of opinion about the proposed legislation. I surely am not trying to chastise anyone for holding a point of view different from mine, or even to criticize anyone in that regard.

I add, however, there was more activity in the field of the adoption of humane slaughter practices after the hearings were held 2 years ago than there had been in the preceding decade. The reason was that there was a possibility of legislation being enacted. There has been considerable progress in the past 2 years. There was very little progress, with the exception of the actions of a few packing plants, which I will mention in my statement, in the years prior to that.

What is more, it is difficult to understand how the Department of Agriculture could be so interested in humane slaughtering methods—and I feel it is interested—without taking more action. Apparently, the Department did not take too kindly to the suggestion of even a formalized directive by the Congress of the United States for further study in the field of humane slaughter methods. The bill I introduced 2 years ago provided for a 5-year time lag. In fact, I suggested we could extend that provision to 7 years, so as to permit 7 years of study.

Mr. LONG. Mr. President, will the Senator yield?

Mr. HUMPHREY. I will yield in a moment.

However, under the bill, after the 7 years had expired something would have gone into effect, or after the 5 years had expired there would have been rules and regulations which would have gone into effect. The Department said, "No." The Department said, "We have all the authority we need for studies."

I say that the Department has had plenty of time to study the subject. The slaughtering of cattle has been going on for years. Methods, which have been found to workable and practicable, are being used successfully by packers and by slaughtering houses, which methods have been put into practice in other countries.

As a matter of fact, there are many countries in the world today, such as the Scandinavian countries and Great Britain, which have humane slaughtering methods such as prescribed in the bill I propose.

By the way, those countries know something about the preparation of food, and sometimes even compete with American processors.

I am now happy to yield to the Senator from Louisiana.

Mr. LONG. Actually there is really nothing in the Constitution or the laws to prohibit the Congress from enacting laws applicable to a general class of people, and exempting certain persons when they find something conflicting with their own moral scruples or sense of justice.

Mr. HUMPHREY. That is correct.

Mr. LONG. The Selective Service Act is a good example. If any person believes that his religion will not permit him to fight or to kill, he can be exempted from selective service. That has been done in the past. Some people feel that their own consciences and religious teachings require them to slaughter animals in a certain way. An exception could be made in the case of such persons. There is certainly precedent for doing something along that line, if that is the judgment of Congress.

Mr. HUMPHREY. That is correct.

Mr. LONG. As a matter of fact, many things are morally wrong or reprehensible which are not outlawed by an act of Congress. It is up to us to decide what we want to outlaw, and how we want to do it.

Mr. HUMPHREY. The Senator's observation is very helpful and to the point. We have it in our power, as a Congress, to grant exemptions, as a matter of public policy, in many instances.

I should like to add to the RECORD a copy of a letter I received, dated May 25, 1956, from Dr. M. R. Clarkson, Deputy Administrator of the Department of Agriculture Research Service.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF AGRICULTURE,
AGRICULTURAL RESEARCH SERVICE,
Washington, D. C., May 25, 1956.
Hon. HUBERT HUMPHREY,
United States Senate.

DEAR SENATOR HUMPHREY: During the course of the hearing on S. 1636 to require the use of humane methods in the slaughter of livestock and poultry in interstate and

foreign commerce, you asked that the Department consider and report back to the subcommittee on the feasibility of 2 suggestions: (1) that the Department undertake a program of research in this field, and (2) that an advisory committee be established under the leadership of the Department with periodic reports to the Congress.

The Department has authority to conduct research or to assist, foster, and encourage research in the handling, transport, and slaughter of livestock and poultry to develop improved methods, including those which are more humane. This authority has been used to encourage development and use of humane methods by industry in cooperation with humane associations.

In all Department research involving livestock and poultry, humane handling is an important consideration. This involves all aspects of the handling of animals on the farm, in the channels of transportation, in the auction markets, and the great central yards, as well as at the slaughtering plants. The comfort of animals has an important relationship to the economic values in the industry, and therefore must be carefully considered in any research and development program.

Most research projects aimed specifically at the improvement of humane handling of animals have been undertaken by industry with the assistance of colleges and universities and humane associations. The Department has considered its contribution to be most effective in working with such group. It is only occasionally that research projects directed specifically to these purposes are undertaken. Work was done under authority of the Research and Marketing Act to examine the feasibility of the use of carbon dioxide to immobilize turkeys before slaughter. A copy of the Department's bulletin recently issued on this subject is enclosed.

The Department continues its encouragement to industry and the humane associations. In the matter of the tests and evaluation of the modification of the captive bolt pistol, which was discussed at the hearing, the Department is keeping informed through the observations of persons familiar with these operations and who are assisting with their comments and suggestions. In similar manner the Department's representatives keep in close touch with improvements being developed by producer groups, transportation associations, meat packer organizations, and the humane associations. Much of the effort of these groups has been channeled through Livestock Conservation, Inc.

With respect to the establishment of an advisory committee, the Department recognizes the need for some orderly procedure for correlating the efforts of all groups and interests. It is believed that this can be accomplished most effectively through an intensification of the work of the producer, transportation, and processor groups with the humane associations with increased participation of Department representatives. The Department is giving emphasis to this work. We are confident that Livestock Conservation, Inc., and the other affected groups welcome the Department's participation.

The suggested informal approach to this matter has the advantage of bringing together all who are concerned with the humane handling of livestock and poultry, not only at the time of slaughter but also during all operations of the livestock and meat industries. There is a growing awareness of farmers, transportation people, and slaughterers of the need and the public demand for the most humane handling of livestock and poultry possible to be achieved. This has been a steady growth. It is apparent to all who are familiar with these industries over a period of years. Most of the progress has been made in a multitude of small and undramatic, but nonetheless significant changes, which have gradually taken place. Most significant of all is the change

for the better in the attitude of those who handle the animals. The educational program sponsored by Livestock Conservation, Inc., and supported by other livestock industry groups has contributed much toward this result.

The Department has appreciated the opportunity to present its views to your committee on this subject. If the committee would like additional information which may be available to us, we shall of course be very glad to respond to your request.

Sincerely yours,

M. R. CLARKSON,
Deputy Administrator.

MR. DUMPHREY. I note this one paragraph:

The Department has authority to conduct research or to assist, foster, and encourage research in the handling, transport, and slaughter of livestock and poultry to develop improved methods, including those which are more humane. This authority has been used to encourage development and use of humane methods by industry in cooperation with humane associations.

The letter is rather long, but that paragraph states that everything the Senate committee proposes to do by the language of the Senate committee amendment is already public law. The Department already has the authority. The Department already has not only the authority, but the mandate, under the Agricultural Research Service. The question is, What does the Department propose to do about it?

Are we finally to take some action to impose some justifiable and moderate standards, or are we to wait and wait and wait?

As has been indicated, somewhat more than 3 years ago I introduced in the Senate the first humane slaughtering bill. I understand that it was the first ever presented to the Congress. I was predisposed to support humane slaughtering legislation on many grounds. I support it on moral grounds, as I know every other Member of Congress does. However, I had to satisfy myself that the legislation would be technically and economically practicable. I do not mind admitting that I gave a great deal of thought to the fact that a large number of people in Minnesota are livestock producers; and another large group in Minnesota are packinghouse workers. So I dug pretty far into the facts.

Furthermore, one of the State's largest industries is the processing of meat products.

I dug into the facts in late 1954 and early 1955. I satisfied myself that there was need for humane slaughter legislation. I thought it was not only morally right and practicable, but that it was economically desirable.

Since that time I have presided over one subcommittee hearing on this particular subject, and I have participated as a committee member in a series of public hearings conducted by the full committee under the chairmanship of the distinguished Senator from Louisiana [Mr. ELLENDER]. I have further investigated the facts on this issue in many other ways. I am seeking to have enacted House bill 8308, in the form in which it was passed by the House of Representatives, rather than as modified and amended by the Senate commit-

tee, because I am still strongly of the opinion that effective humane slaughter legislation, with moderate standards, such as those set forth in the bill passed by the House, ought to be sent to the President by the Congress for his signature.

I point out that the bill which came to us from the other body was the result of hearings before the Senate committee 2 years ago, and the result of further testimony and hearings before a subcommittee and the full committee in the other House, before the bill was submitted for a final vote in the House of Representatives.

We have been studying this proposed legislation for more than 3 years, and as a result of study during that 3-year period of time I have reason to believe that considerable progress has been made in the packinghouse industry itself, in the adoption of humane slaughtering processes.

I wish to compliment the packinghouses which have moved ahead on their own initiative. They are entitled to the commendation and thanks of the American people.

I would be less than fair if I did not say that determined efforts have been made by the Department of Agriculture, the slaughtering houses, the packinghouses, and humane societies and associations looking toward the adoption of humane slaughtering methods and practices.

I am sure that relatively few Senators have had the opportunity to read thoroughly the transcripts of hearings which have been conducted by the committees of the Senate and the House. Very few Senators, I suppose, have had occasion to become personally familiar with the techniques by which animals are slaughtered in packing plants, or to analyze the economics of the operation.

I may be able to be helpful, therefore, by summarizing the arguments for humane slaughtering legislation, and by pointing out what I believe to be the fallacies of arguments against such legislation.

This proposed legislation has been carefully studied. Every Member of the Senate has received hundreds of letters, both from supporters and opponents.

The principal arguments for the enactment of humane slaughtering legislation are these:

First, every year more than 100 million animals now are being subjected to an extreme cruelty that is discordant with our national moral code. I do not believe anyone denies that. Those who talk about humane slaughtering methods endorse the objective, endorse the essential need for the application of such methods. Therefore, it is about time, it seems to me, that we did something about our endorsement.

Second. Slaughtering methods now commonly used cause an immense economic waste, the burden of which is borne chiefly by the livestock producers and by the consumers.

In other words, the producer and the consumer are taken for a ride on the antiquated old rack of inhumane slaughtering practices. The consumer

and the livestock producer are paying for the failure of the packinghouse industry in America to modernize.

Third. Practical methods of killing animals humanely are available and are economically feasible for even the smallest packers. In fact, they are being used by packinghouses. They are available, and they are economically feasible even for the smallest packers. I mention this because the argument has been made, and will continue to be made, to this effect: "Oh, yes; humane slaughtering practices are feasible. They can be installed, but only the big packers can use them. The small packers cannot use them, because the small packers cannot afford to do so."

Testimony before committees in both Houses of Congress proves that assertion to be untrue. The evidence is that the big packers surely can afford it, but many of them do not adopt such methods; and the small packers can afford it, because many of them have adopted such methods.

The record shows that many of the small packers put into operation humane slaughtering practices before the major packers did so. They did it because of a sense of moral code on the one hand, and second, because of economic necessity. One of the ways whereby the small packers have been able to compete against the giants in the packinghouse field has been the utilization of humane methods of slaughtering, which are economically desirable and profitable.

Fourth. A long history makes it clear that the packing industry cannot end the cruelty and the economic waste without the help of legislation.

I say that because once legislation goes into effect it becomes rather universal and it is not a matter of one company spending money while another company does not spend the necessary money. The proposed legislation we are supporting today says to the packers: "If you are going to do business with the Federal Government, you must apply certain methods to the preparation of the food you will sell to the Federal Government. If you are going to sell meat products to the Federal Government, you must abide by certain standards."

The Federal Government has legislated standards time after time as to its purchases. There is not an item the Federal Government purchases which is not subject to certain standards prescribed by the Federal Government. Sometimes Congress has established those standards.

To my way of thinking, if the points I have made are valid, the Senate ought today to enact the legislation that has come to us from the House. What Senator will rise to say that cruelty and economic waste should be continued, if there is a practical way to achieve reform? And I am going to prove to you that every statement that I have made is hard fact.

I have asserted that a great cruelty exists. It is hard to find words that can evoke reality behind that simple statement. Here in the Senate we have got

used to big numbers and when I say that more than 100 million animals are subjected to unnecessary cruelty every year, I am afraid that I may sound merely statistical. But we are morally compelled, here in this hour, to try to imagine—to try to feel in our own nerves—the totality of the suffering of 100 million tortured animals. The issue before us today is pain, agony, and cruelty—and what a moral man must do about it in view of his own conscience.

The revered Albert Schweitzer has said that "no one may shut his eyes and think that the pain which is therefore invisible to him is nonexistent. No one may escape his own responsibility." So it is today in this Chamber.

A University of Minnesota team of scientists has conducted an exhaustive study of injuries inflicted on hogs by the shackle and hoist methods now in general use. The scientific team had the full cooperation, I am proud to say, of a large Minnesota packer. The study was conducted under ordinary packing plant conditions.

These scientists discovered that in almost every animal, some 60 million animals a year, the shackle and the wheel are rupturing joint capsules, tearing ligaments and tissues, and sometimes actually yanking leg bones out of their sockets. The results of this study were published in the July 1957 issue of the American Journal of Veterinary Research.

Mr. YOUNG. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. YOUNG. If we were to correct by the passage of the pending bill all of what we might call cruelty to animals, we would be accomplishing something. However, there are some things which appear to be inhumane about which we cannot do anything.

Mr. HUMPHREY. That may be true.

Mr. YOUNG. For example, the dehorning of cattle is a very painful thing. It is a bloody thing. The rendering of male cattle into steers is a painful process. How can we get down to the farm level and correct those situations? I know the Senator would never advocate doing that.

Mr. HUMPHREY. I thoroughly agree with the Senator. I do not believe we can eliminate all instances of pain and stress. I shall not base my case on that particular aspect of the program, because the Senator from North Dakota is eminently correct, that there are things which must be done and are being done in the field of animal industry which surely would be termed by any human being as being anything but humane. I believe that is what the Senator is saying. However, merely because we do not eliminate all inhumaneness is no reason why we should not try to minimize some of it.

Mr. YOUNG. I am in favor of the objective. I believe the Senator is in too big a hurry.

Mr. HUMPHREY. Because of his diligent attendance at the hearings and his willingness to stay in the Chamber, I feel that before the debate is over the Senator from North Dakota will be one of the staunchest advocates of the pro-

posal of the Senator from Minnesota. I have faith in him, and I know it will happen.

I will not give a detailed description of the variety of tortures which are routinely inflicted in our packing plants on cattle, horses, sheep, calves, and lambs.

Ordinarily, an attempt is made to knock cattle to the floor with a sledge hammer. Because the men who do the knocking are not always expert and because cattle often move at the instant that the hammer swings, the animals often are terribly injured and maimed before they are hammered into unconsciousness. Witnesses have told our committees of seeing steers struck as many as 20 times before they become insensible. The hammer knocks off horns, mashes noses, breaks jaws, pounds out eyes.

It is notable that in none of the three public hearings on this subject conducted by congressional committees has any packer denied the existence of the cruelty that I am now describing. We have heard expert and official spokesmen for all of the national associations of packers and we have heard many individual packers. Not one of them has ever disputed the facts as I am giving them.

The cruelty exists. It is a very great and terrible cruelty. It is horrible in kind and in scale.

All of our major religions brand cruelty to animals as a sin. The ancient law-makers of the Hebrews understood thousands of years ago that cruelty to animals was an offense against God. One of the most eminent of American rabbis reminded us, in committee hearing, that Talmudic literature says of Moses that only after he proved his kindness to animals did God accept him as His divine messenger to the Jewish people. Likewise, the Christian religion in its very essence condemns cruelty, to beast as well as to man.

It is to be noted that the legislation that I am urging is strongly supported by many churches. The General Board of Social and Economic Relations of the Methodist Church, representing 10 million Americans, has said to us, in a formal resolution:

This board opposes a widespread situation in this country where millions of meat animals for American tables are slaughtered every year under conditions of unthinkable brutality.

We strongly urge increasing use of humane slaughtering methods which have long been in use in Britain, Holland, Switzerland, in all the Scandinavian countries, and also in New Zealand and the Fiji Islands, and we commend the several American packing plants which have employed such methods, the use of anesthetics, the captive-bolt pistol.

We protest the delay in dealing with such a situation and call upon the Congress to enact at once the legislation necessary to correct the present situation and to insure humane slaughtering methods in the packing plants of the United States. Such bills as Senate bill No. 1497 and House bill No. 8308, are samples of the legislation required.

House bill 8308 is the pending bill, and S. 1497 is the companion bill.

The Methodists are not alone in this vigorous request that Congress act. The

great Southern Baptist Convention, speaking through the executive of its Christian Life Commission and through its president, is as ardent in support of humane slaughter legislation as are the Methodists.

The record is full of calls for action by many other religious groups and by religious leaders, Jewish and Christian alike, Protestant and Catholic alike. And the moral issue is what concerns the General Federation of Women's Clubs, an association of 15,000 organizations with more than 11 million members. This biggest organization of women in America has said through the action of its national convention:

All thoughtful persons recognize that cruelty is an evil that should be eradicated from our society, not merely for the sake of animals but for our own good. We know that cruelty, whether to animals or to men, causes in the perpetrator a moral and cultural erosion that is harmful to the whole of society. Cruelty to animals in our slaughterhouses has thus far been permitted only because, it is argued, cruelty is cheaper than decency. The immorality of the argument is obvious.

To that I say: Amen.

Yes; the immorality of the argument is obvious.

But the argument that cruelty is cheaper than decency is more than immoral; it is a phony argument that will not stand 5 minutes of examination.

I have said that slaughter methods now commonly used cause an immense economic waste, the burden of which falls principally on farmers and consumers. I now offer my proof.

Let me refer again to the study of hog-killing methods made by the University of Minnesota scientists, the study which I earlier described.

I take the liberty of referring to the University of Minnesota's splendid School of Agriculture. The University of Minnesota is one of the great land-grant universities. I believe in its competence and its ability to make an objective examination and study. That study was undertaken because packers have long been puzzled and economically burdened by the frequent appearance, in hams, of what is called a cherry bruise. This bruise is a bloody spot in the ham, sometimes on the surface, sometimes hidden in the meat—so that a housewife who buys the ham finds part of the meat revoltingly unappetizing and inedible.

It ought to interest every Senator from a farm State to note that for 50 years or more the packers have been blaming these cherry bruises on farmers and transportation companies. The University of Minnesota report says that in all instances packing plant workers and executives associated the appearance of the condition with injury to the animal during transit from the farm to the packing plant.

Those who know the ways of livestock markets will understand what has been happening. On the theory that these bruises were incurred before the hogs got to the packing plant, buyers for the packers have naturally been discounting, in prices bid for hogs, the losses involved in the damaged hams. It is the farmers and the feedlot operators who

have been paying for the cruelties inflicted on animals by the packers.

The amount of money involved is enormous. The Minnesota research team discovered that in a single plant the loss from meat damaged by the shackle-and-hoist method was exceeding \$90,000 a year.

That loss did not occur during shipment from the producer to the plant; it occurred in the plant after the animals had been received by the packer. Actually, the loss probably was much higher than the conservative scientists reported. The published figures take no account of meat that is thrown away in disgust by housewives who are sold hams with hidden bloodspots. As the research group itself said, "When consumer acceptance is considered, these hidden hemorrhages may prove to be more economically significant than the hemorrhages found prior to selling the product." And the report further comments that "the percentage of claims for defective hams due to this condition has not been ascertained."

I ask Senators to note that this Minnesota study dealt only with hogs. The packers have never seen fit to arrange for any similar study of damage done to meat when the shackle and hoist are used on cattle, calves, sheep, and lambs. But commonsense tells us that if the weight of a 250-pound hog so terribly tears joints and tissues, even greater damage and economic loss result when a half-ton steer or 1,500-pound bull is hoisted.

The cruelties of conventional slaughter methods damage meat in many other ways—and none of us is so economically illiterate as to imagine that losses of this kind are borne only by packing industry stockholders.

Mr. E. Y. Lingle, president of the Seitz Packing Co., of St. Joseph, Mo., has done a good job of explaining this subject. Mr. Lingle's plant is one of the smaller units of the packing industry, although an excellent and efficient one. The Seitz company was one of the first to use the humane captive bolt pistol in place of the archaic and brutal sledge hammer.

Mr. Lingle has testified, his remarks being reported verbatim on pages 166-167 of the transcript of a hearing conducted by a Senate subcommittee in May 1956, that after his plant switched to humane methods he discovered that cattle bled better, that consequently it was easier to skin animals, that the Government inspector has remarked that there is less coagulated blood in the heart and the men on the floor have shown me that there is less blood in the chest cavity when the cattle are eviscerated, that cattle cut better, and there were fewer bruises in the meat.

Mr. Lingle's statement ought to be carefully studied by every livestock grower and every meat consumer. In plain words, this honest packer tells us that the conventional cruel methods of killing cause bloody meat, they are the cause of the costly stiff cattle and dark cutters, they cause damaging bruises, they cause damage to valuable hides, and they increase labor costs.

The committees have accumulated much evidence that the usual inhumane methods of killing are responsible for huge additional economic losses through an abnormally high industrial accident rate and through the costs of an almost fantastic rate of labor turnover.

Department of Labor statistics show that the packing industry has an accident rate that is almost double the average for all industry. The accident rate on packing plant killing floors and in shackling pens is largely responsible for that unenviable record. The president of the Seitz Packing Co., Mr. Lingle, emphasized that cattle knocking is an unsafe job.

The loss of man-hours, the medical expenses, the workmen's compensation involved—all these are burdens on the entire economy.

Many of these can be relieved and alleviated by modernizing the facilities of packing plants and by installing humane methods of slaughter which are workable and efficient, and have been tried and found to be practical.

Packing plant executives have freely told us, in committee, that few men want the jobs in shackling and knocking pens. In many plants men stay on those jobs only a week or two before they use the privileges of seniority to demand transfer to safer and easier jobs. Since many industrial studies have revealed that it costs more than \$500 to employ and train each new man on such jobs, it is apparent that here there is another great source of economic waste.

These facts explain why packinghouse labor favors the legislation now proposed and why the Amalgamated Meat Cutters and Butcher Workmen of North America, AFL-CIO, has officially asked us to enact a humane slaughter law. They are the people who work in the packinghouses. They are not the ones who sit in the air conditioned, well-designed front offices having all the comforts of modern conveniences. The persons who are on the packing floor working with the animals, seeing the cruelty and the economic waste, are the ones who have asked for the legislation, together with the vast groups of our citizenry who have poured letters into Congress urging action.

I cannot go further into the economics of this issue. But it is obvious—it is not even debated by the packers—that cruelty is costly, besides being immoral. And I particularly call attention to the fact that the Federal Government is one of the biggest buyers of meat and that anything that raises the cost of meat is a direct burden on the funds that we vote for school lunches, for the feeding of our Armed Forces, and for livestock price-support programs.

I have proved that a great and immoral cruelty is being committed and that the cruelty is economically costly to the Nation. Now I offer proof that the cruelty is unnecessary—that livestock can be slaughtered humanely, and that the methods available are practical and within the means of every packer, big and small.

And here we come again to the towering fact that ought, in logic, to end all debate on this subject. That fact is that a very substantial number of American packing plants—although unfortunately still a small minority—have already adopted humane methods, have proved them to be practical and profitable, and have testified to committees of Congress that the humane methods are better in every respect than the old and cruel methods.

I commented earlier on the Hormel Co. George F. Hormel & Co., one of the great packers of the Nation, processing some 10,000 hogs a day in a single plant, has since 1952 been humanely putting hogs to sleep with an anesthetic gas before they are subjected to handling of any kind in the slaughterhouse. The animals ride on a moving belt into a zone of invisible, odorless, tasteless carbon dioxide gas. They go peacefully to sleep as they ride and they never awaken. There is no struggle, no fear, no injury, no pain.

Executives of Hormel, which is reputed to be the most profitable packing company in America, have told congressional committees that they have actually saved money by switching to this humane method from the old cruelties. The best evidence on this comes from the fact that after a long experimental period in 1 plant, Hormel extended the system to its 2 other big plants. And there is the further evidence that the Kingan plant of Hy-Grade Food Products Corp., in Indiana, has followed the Hormel lead, and the carbon-dioxide system is being installed in three plants of Oscar Mayer & Co.

Perhaps I am a man with primitive logical processes, but it seems to me that what works on hogs in seven plants of the Hormel, Kingan, and Mayer companies will work on hogs in Armour, Swift, and Cudahy plants. I have not heard that Hormel, Kingan, and Mayer have any special breed of hogs.

It is even easier to slaughter cattle, horses, calves, sheep, and lambs humanely. It can be done and it is being done with a simple stunning instrument that costs about \$150 to buy and around 3 cents an animal to operate. Some manufacturers call these tools captive-bolt pistols, some call them humane stunners. They are being used, and have long been used, by some very successful and profitable packing plants.

I have already quoted Mr. E. Y. Lingle, president of the Seitz Packing Co. Mr. Lingle testified that captive-bolt pistols actually saved money in his operations. Many other packers have said the same thing. Senators with small packers among their constituents should note that the captive-bolt pistol, which is one of the humane methods or instruments, has been regularly used, for many years, with complete satisfaction, by such relatively small operators as the Great Falls Meat Co. at Great Falls, Mont., Seitz, and more than a score of other progressive small companies.

It is the big companies which are fighting the bill. It is the big companies which are saying that the small com-

panies cannot afford the proposed method. But it happens that the small companies were the ones who really instituted humane processes. It is peculiar how the large suddenly become so brotherly toward the small, when the small are already leading the big brothers into the paths of righteousness, if they would only follow.

And in the last 2 years, admittedly only under the pressure of the proposal that now is before us the Senate, nearly 200 more plants have started using the humane stunning instruments on cattle, and, in a few cases, on other species of animals. The expert consultant of the American Meat Institute, Mr. Eshbaugh, told our committee in April that these new converts have found that the stunners are satisfactory. I interpret the word "satisfactory," when used in this way by the American Meat Institute, to mean, "It is beyond any criticism we can think of."

The American Meat Institute has sought to alarm some of the small packers and the livestock producers by blandly asserting, in the face of conclusive evidence to the contrary, that humane methods of slaughter would be ruinously costly to the packers. Such statements are pure nonsense.

A captive-bolt pistol costs about \$125. The most advanced Remington humane stunner costs only \$240. These instruments are worked by a .22-caliber blank cartridge, and cartridges cost only about 3 cents each.

I remind the Senate again that the consulting expert of the American Meat Institute has, himself, told us that the captive-bolt pistol and modified versions of that instrument are right now being used, with satisfaction, on all species of livestock.

Because George A. Hormel & Co. spent more than \$200,000 on development and its first installation of carbon dioxide equipment, it has been asserted that use of the carbon dioxide method is impractical for small packers. However, that is an absolute non sequitur.

The Allbright-Nell Co., of Chicago, licensee under Hormel patents, is offering a carbon dioxide unit, capable of humanely processing 60 hogs an hour, or 480 hogs in an 8-hour day, for around \$3,500. That is just about the price of a 1-ton truck. Has any Senator ever heard a packer complain that he would be put out of business if he had to buy a truck?

Moreover, H. R. 8308 will affect very few small packers. This bill affects only packers that sell their products to the Federal Government. That is why the big packers are fighting the bill; they are fighting it because they do not want to make any changes in their methods. They want to make the Federal Government pay for the meat they process; but the packers themselves do not want to meet the standards. The same argument was made against the first proposals for meat inspection, when they were considered by the Congress.

Mr. President, most of the small packers who have expressed alarm over this proposed legislation have never even

contemplated making a bid for Government contracts.

The essential and demonstrated fact is this: Senators can vote today for House bill 8308 with the assurance that they will not be voting a hardship on any packer, large or small.

I must now offer some proof that the carbon dioxide method and the various stunning instruments are humane. That is made necessary by the fact that the Department of Agriculture has told us that it wants many years and many dollars of the taxpayers' money for a study of this subject. Mr. Benson, the Department says, does not know what is humane and what is not humane. He wants us to postpone action indefinitely while he ponders the question; and he also wants, of course, an appropriation to finance his pondering.

Mr. President, I find it hard to treat seriously the contention by the Agriculture Department that we should postpone all action on this issue in order to allow the Department to conduct elaborate studies to determine whether it is more humane to anesthetize a hog or to yank its legs out of joint and cut its throat while it is fully conscious; whether it is more humane to stun a steer into instant unconsciousness with a captive-bolt pistol, or to beat its head to a pulp with a half dozen blows of a hammer.

Until the American Meat Institute became agitated over the pending legislation, the Department of Agriculture never concerned itself with whether animals in packing plants were treated humanely. Assistant Secretary Peterson testified frankly that the Department has always felt that whether animals suffered cruelty was someone else's business.

Over many years, on the other hand, the great humane societies of the world have intensively studied this question. In America, the Humane Society of the United States and the Animal Welfare Institute have financed studies by university scientists. The American Humane Association has participated in a joint committee with the American Meat Institute. In England, the venerable Royal SPCA and the Universities Federation for Animal Welfare have sponsored scientific studies. The Humane Society of the United States, the Animal Welfare Institute, and the Massachusetts SPCA have sent their staff experts to Europe, to study methods used in packing plants there, where humane slaughter laws have been in effect for decades.

Investigators financed and sponsored by the humane societies have used the electrocardiograph and other advanced scientific methods to determine what methods are actually painless.

An additional vast amount of study has been made by independent scientists.

Every study ever conducted has confirmed that the captive-bolt pistol, carbon dioxide anesthetization, and electric stunning are humane.

Carbon dioxide, incidentally, has long and frequently been used as an anesthetic for human beings. It is a scientific fact—apparently unknown only to the Agriculture Department—that car-

bon dioxide is a true anesthetic; that it does not suffocate; and that, when inhaled, it causes no unpleasant sensation of any kind. Are we to postpone action for 4 or 5 more years, and spend a large sum of money, merely so that the Department of Agriculture may repeat studies which were completed long ago?

If any Senator plans today to vote against House bill 8308, I suggest that he should think up a better excuse for his vote than the contention that there should be further study to determine whether anesthetics are humane.

I come now to providing proof for my fourth statement: namely, that the cruelties of the killing floors cannot be ended without the cooperative help of Federal law.

The packing industry, as all of us know, is one of the largest economic units of our Nation. There are more than 5,000 commercial slaughterers. Most of them are engaged in interstate commerce. The living animals move from Texas to Kansas City, from Iowa to Chicago, from Arizona to California, from Ohio to New York. The finished products cross all State lines.

Some of the packers are industrial giants. More of them are small business units. They are divided among 3 big national and regional associations and 29 or 30 State associations. They are sharply competitive.

I am making the point that in such an industry, voluntary reform in such an area as the one we are now discussing is literally impossible. Some packers will see the light. Some have already adopted humane methods for economic reasons, and I am sure that some have also been motivated by humane reasons. But total or even substantial reform will never be voluntarily achieved, because this industry is not a single unit, but is made up of more than 5,000 units.

All of us remember how the packers fought the Federal law that established the meat inspection service. A veritable army of packers appeared in Washington, near the opening of the century, to tell Congress that the proposed law would ruin them.

But what do we find today? We find the packers united in praising the law they once stormily opposed; we find them, in fact, urging Congress to extend the inspection service and make it even more rigid.

Humane slaughter laws now are in force in Great Britain, Norway, Denmark, Sweden, the Netherlands, Switzerland, Finland, and, as has often been stated, even in the Fiji Islands. But nowhere in the world have the slaughterhouses reformed themselves without such laws.

The American Meat Institute repeatedly has told us that for 30 years it has been studying methods of slaughter. But in those 30 years the AMI has not even once recommended to its members any step aimed at alleviating the suffering of animals. Official spokesmen for the packers quite frankly confessed to use in committee—they could not do anything else—that they have been remiss in this field. The packer spokes-

man used exactly that phrase—"we have been remiss." The packers admitted that they have been spurred to very recent concern only by the pending legislation.

If the proposed legislation is killed today the packers will go right back to their old indifference. This does not mean that individual packing plant executives are cruel and evil; it simply means that inertia will triumph. All of us agree that the cruelties of the packing plants ought to end. It is unrealistic to pray piously for this objective while voting against proposed legislation that alone can make the reform possible.

Mr. President, I wish to make a brief comment on the particular provisions of House bill 8308, in the form in which it was passed by the House. It is a moderate, reasonable, nonpunitive bill. It merely provides that it is the policy of the United States to encourage the humane slaughter of livestock, and that the Federal Government will buy only from packers who comply with this public policy.

The bill covers a very large portion of all livestock slaughtered, but affects only a small minority of packing companies—certainly not more than 500 firms.

It has been suggested that the proposed legislation might create some difficulty for executive departments in the execution of their purchases. Such a suggestion ignores economic realities. The Federal Government buys close to one-quarter of a billion dollars' worth of meat and meat products every year. The Government pays profitable prices. In the highly competitive packing industry, wherever there is a buyer with \$250 million to spend, there will be eager sellers.

The law should be largely self-enforcing. Vendors selling to the Government would be required to certify, under perjury penalties, that they are complying with the provisions of House bill 8308. This is a much cheaper and surer way of getting the desired results than by relying upon a criminal law, with the necessity of investigation and prosecution.

In short, House bill 8308 is a practical bill.

House bill 8308 provides absolute protection for the rituals of all religions. I emphasize the word "absolute." The sections of the bill which are concerned with ritual slaughter were drafted and proposed, in fact, by rabbis, lawyers, and leading laymen representing the overwhelming majority of American Jews. I would be the last Member of the Senate to sponsor any proposed legislation which conceivably could infringe upon or imperil religious freedom. I repeat that House bill 8308 provides absolute protection for religious ritual. The largest organizations of American Jews fully understand that fact.

I hope the Senate now will vote House bill 8308 into law. Nothing whatever can be gained by procrastination. The American public understands this situation.

The St. Paul Dispatch, located in a city which knows about packing plants, said this, on July 3:

It is unfortunate that the Senate Agriculture Committee has come up with a bill calling for only another study of humane slaughtering methods in the United States. There is no need for such a study.

The Milwaukee Sentinel, after reporting the recommendation of a study bill by our Agriculture Committee, said editorially on June 27:

We don't quite get this. The Secretary will study the subject for 2 more years and resubmit the same proposals to Congress which are already before it. And around and around we go. The Senate should disregard this conscience-salving substitute measure and pass the humane slaughter bill without delay.

The Washington Post said, on June 22:

There is no need whatever for a 2-year study of humane slaughter techniques.

The Post called the Agriculture Committee proposal a "dilatatory and evasive measure."

The Miami News said, on June 20:

The Department of Agriculture has yielded to the pressure of the American Meat Institute in calling for further study of the bill—an old and sure method of killing needed legislation. But with humane slaughter already the rule in many of our best packing-houses and in most European countries, what is there to study?

The Charlotte (N. C.) News said, on June 25:

There is no need for any additional study of humane slaughtering methods. It is plainly absurd to postpone action in the United States merely to confirm the proposition that cruelty is cruel.

And the New York Herald Tribune said, on July 9:

Further study. For 30 years, this has been the excuse advanced for delay by some of the big meatpackers. The House Agriculture Committee made a personal tour of the slaughterhouses and was immediately convinced that changes were necessary, the Senators, however, staying in Washington, refusing even to see a film depicting the slaughtering of hogs.

Mr. President, I could read to the Senate another 200 editorials along the same line. The American press is virtually unanimous on this subject. The Congress has been asked by great organizations of the Nation's people to act favorably. Every one of us has been deluged by our constituents with pleas for the passage of this proposed legislation. And the letters have not been the kind written by lobby organizations, either.

The conscience of America is involved in this matter. The American public has spoken to us with the voice of a civilized and moral people.

I have discussed economics. I have talked of practicalities. I have touched on politics.

But as my final word, I say this to my colleagues. The issue before us is an issue of fundamental morality. Those of us who believe in a just and merciful God have a clear mandate. I trust that in the next few minutes the Senate will reject the proposal that it be devious,

evasive, and hypocritical, and will take decisive action to achieve a reform that is long overdue.

The House has passed effective humane slaughter legislation in the form of House bill 8308, the measure I have described.

The Senate Committee on Agriculture, by a split vote, has reported only the title of the bill as passed by the House, but has stricken its language, and has replaced it with a mere study commission proposal that humane groups condemn as only a device to delay action.

I ask the Senate to reject the Senate committee's amendment. When that amendment is rejected, the pending question will be the original language of House bill 8308—the language supported by all the humane organizations, the language which 17 of my colleagues have joined in seeking to have restored as the real issue before the Senate.

Mr. President, with the cooperation of national organizations concerned with the humane movement, we have made a compilation of mail sent by Senators to constituents all over the country. That compilation shows that some 53 Senators have in writing stated they were in favor of the language of the bill as passed by the House, rather than the study commission amendment reported by the Senate committee.

With a majority of the Senate thus on record in writing, it appears only just to give this body an opportunity to vote on the real issue.

A "no" vote by a majority of the Senators voting on the committee amendment will provide that opportunity. A "no" vote will be the vote asked by the humane organizations, and the vote which 53 Senators have pledged to their constituents they would cast for humane slaughter.

Mr. President, I believe the bill as passed by the House to be sufficiently moderate to merit the support of every Senator, not only the support of a majority of the Members of the Senate who, I hope, will vote for the bill.

I believe the bill represents constructive thinking and a beginning approach. It provides for the study for which the Senate committee amendment provides, and also for enforcement at least in the areas of Federal purchases.

THE FINE WORK OF THE AGRICULTURAL RESEARCH SERVICE IN COMBATING PESTS ABROAD

During the delivery of Mr. HUMPHREY's speech,

Mr. WILEY. Mr. President, will the Senator yield for a brief insertion in the RECORD?

Mr. HUMPHREY. I am always delighted to yield to my good friend from Wisconsin. I should like to suggest that his material be printed in the RECORD following this discussion.

Mr. WILEY. Yes; I am very happy to make that unanimous consent request.

The PRESIDING OFFICER. Without objection, it is so ordered.

mankind with Runnymede, Valley Forge and other places where the fires of freedom were lighted and kept burning.

"The blood of Americans and Filipinos mingled, indissolubly in the soil of Bataan and Corregidor, each defying the forces of autocracy and slavery. The blood shed by your sons and our sons cannot be separated in the hallowed earth of Bataan and Corregidor. * * * This spot will tell the story to oppressed and groping people how they, too, can attain liberty by devotion to the democratic way of life.

"Bataan and Corregidor will ever be beams to guide liberty-loving people of Asia and of the world to a way of life which will bring the greatest good to the greatest number. May they light the way to freedom for millions who are seeking that which Bataan and Corregidor so sublimely represent."

In order to conserve your time and to explain clearly the bill before you, I would like to read this statement. The Corregidor Bataan Memorial Commission was created by Congress to erect upon Corregidor an appropriate memorial to all those who served under the American flag in the Pacific area during World War II. The Commission is composed of 9 members: 3 United States Senators, 3 United States Congressmen, and 3 public members. They are now as follows: Senators Wiley, Goldwater, and Douglas; Congressmen Van Zandt, Devereaux, and Selden; John W. Hausermann, Frank Hewlett, and Emmet O'Neal who was chosen by the members to be Chairman. No member of the Commission has been paid anything in any way for his services.

The Commission has been very active, and in my opinion has accomplished a great deal to date, and in a most economical way.

The Commission has worked with the Philippine Government through its Ambassador, General Romulo, and its National Shrines Commission. This Philippine National Shrines Commission was directed by the Philippine Government to work with the Corregidor Bataan Memorial Commission in placing a suitable memorial on Corregidor. They have dedicated Corregidor as a shrine and are even now taking people there, and showing them the site of the memorial. They have officially approved the design of the actual memorial and are delighted with it. Further they have made independent studies for the use of the memorial, as a living memorial, when completed.

In order to have an appropriate structure the Corregidor Bataan Memorial Commission has sought the cooperation of the architects of the United States.

The advisory architect of the Commission is Mr. John F. Harbeson of the firm of Harbeson, Hough, Livingston & Larson, Philadelphia. He is recognized as one of the leading men in his profession. Under his direction the Commission conducted a competition among the architects of the United States, in which 43 well-known men or firms participated.

The designs in the competition were submitted anonymously, so that there would be no favoritism. In the first stage of the competition 5 designs were selected as the best, and a second stage was held, in which the 5 winning architects competed with 5 of the most outstanding architects who were especially invited to compete. The jury of 11 which recommended the winner was composed of 8 very prominent and nationally known men in the architectural field, and the other 3 men were Fleet Adm. Chester W. Nimitz, Gen. Walter Krueger, and Gen. George C. Kenny. The chosen Chairman was Mr. Pietro Belluschi, dean of the School of Architecture and Planning, Massachusetts Institute of Technology. The Commission accepted the decision of the jury, and its selection has received many words of approval from competent authorities as well as the Philippine Government.

May I take a few moments to refresh your recollection as to the basic concepts of the Corregidor memorial.

It will be a symbol to every participant in the Pacific war both in the United States and the Philippines of the months and years of his service and sacrifices in the preservation of liberty against an aggressor bent on conquest, tyranny, and enslavement. To such a veteran, and there are over 4 million of them in every part of the United States, it will be deserved recognition of each one's service to his country. Primarily it will be a reminder and record of those who gave their lives to preserve freedom in the world.

It will be a sensitive and appropriate recognition of the most remarkable feat of arms in the world's history, America's participation in World War II, undertaken not for conquest.

The Philippines were a part of the United States until July 1946, almost one-third of our existence up to that time. It will be a symbol to every Filipino who sees it, and they will be numbered by countless thousands, of our understanding and appreciation of that long association unique in the annals of history. It will make clear our recognition of the price the Filipinos paid through 4 long years for remaining true to the United States and the cause of democracy. That deliberate choice caused them to suffer more loss of life than the combined losses of the American forces in both the European and Pacific areas combined. Further, it had deep meaning and will have far-reaching influence that an Oriental nation, the Philippines, decided to stand by an Occidental nation, the United States, against another Oriental nation.

The memorial will stand on the sacred soil of Corregidor in the shadow of nearby Bataan, where commingled the blood of Filipinos and Americans. Manila is the crossroads between the East and the West, and only a relatively short distance from the mainland of Asia. Those who travel by air will see it, and all ships going to or from Manila must pass close to Corregidor. At night a perpetual shaft of light will carry its message far out across the China Sea. Its meaning will be clear to Asiatics, and we believe that it will be understood as a dedication of democratic peoples to the cause of peace and freedom.

All Corregidor will actually be a memorial. Malinta tunnel, the headquarters of the United States Army and the Capitol of the Philippines in the early days of the war will be restored by the Philippine Government. The memorial edifice will have appropriate sculpture, and so built that it may house libraries and the memorabilia of the war in the Pacific.

If our country through this Commission and the architects can place upon Corregidor the type of symbolic memorial we are trying to create, it will reach the minds and hearts of millions of people who do not know and little appreciate the real United States. It may sound chauvinistic but something unheard of has risen in the world in recent years—an entire nation going to war on two occasions with its major objective the freedom and happiness of other nations. There was no thought of conquest of others, but there was on the part of the people of the United States an awareness that we were sure to suffer great loss of life and staggering financial burdens for years to come. It is true that we evaluated the impact upon our future of the defeat of free nations by dictators, but irrespective of that, I believe, the United States fought primarily to help other nations to live as free men.

The decision of the Philippines to stand with us was built upon their confidence after almost 50 years of association, in the truth and fairness of the democratic way of life, as cherished and lived by the United States.

The presence of this memorial on Philippine soil will be an aid in enlightening Asia and the world as to democracy and the character of America. In my opinion all that we do in monetary assistance as a part of our foreign policy will be short of our objectives until the nations we help understand the United States. We can do more to bring about that understanding than is being done.

We are confident that with the actual memorial and the living memorial we can make a very important contribution to that end.

This memorial will be placed by the United States not in Washington or some other American city for the edification of ourselves, but on Asiatic soil which will mean a great deal to all Asiatics. Such a tribute on foreign soil is somewhat unique, and cannot fail to better explain to the world, especially Asia, what is the truth as to the real America, as an exemplar of democracy.

We do not intend to let it rest there. This sensitive symbol will become and be used as a living memorial. We have done a great deal of work to develop activities under the aegis of the Corregidor Bataan Memorial which we believe will do much to offset the effect of the all-out Communist effort in the Far East. We have an invaluable asset in the friendship of the Philippines, a democratic nation, just as Russia has in Communist China. In my opinion this is not fully evaluated nor adequately utilized. Russian communism, according to authorities is daily gaining ground in Asia, largely accomplished in the name and with the assistance of China. We have reason to believe that we can secure active cooperation and abundant financial support which will make the actual memorial when completed, continue to serve effectively as a living force. It is consonant with a memorial in the spirit that "these dead shall not have died in vain."

The things of which I have spoken are authorized by legislation heretofore approved by Congress, and are not a part of the bills before you.

Several identical bills are with your committee which will make it possible to start the erection of the memorial at once. The passage of this measure, now, will save from 3 to 4 years in getting started.

Twenty-nine ships which saw distinguished service in World War II are now in moth balls awaiting an inevitable onomniuous end in the junk pile. The Navy states that they will not be of further service to our country or anyone, and it is empowered to dispose of them. The cost of their maintenance is approximately \$3 million to \$4 million a year. If not junked for the next 3 or 4 years they could entail an expense of \$9 million to \$12 million. Every American must feel some regret that the ships will no longer serve the cause for which they were built, and finally lose their identity in the junk pile.

The bills before you will preserve their identity, and permit them to continue to serve in the cause of freedom and democracy. The congressional members on the commission introduced these bills to permit the use of the funds from the salvage of the vessels to be applied to the erection of the memorial on Corregidor. It is further planned that as much of the steel as is needed from the ships, shall be the steel of which the memorial will be built. So the memorial framework will be of steel which served as ships in World War II. The Commission intends to preserve and install some of the identifiable parts of the ships as a part of the memorabilia of the greatest feat of arms in the history of mankind, World War II. There will also be included in the memorial, memorabilia of the Army, Marine Corps, and Air Corps.

You have heretofore appropriated the money for the building of these ships and the use of a part of the proceeds from the sale of the ships, is not exactly on all fours with a new appropriation; it is rather a redirection of the money heretofore appropriated. I would not be completely frank with the committee if I did not admit that as far as the balance sheet is concerned, the result is the same.

The memorial when completed will be essentially a plea for peace and freedom in the world, and the use of the steel and other parts of the vessels will be in the spirit of the Biblical quotation:

"And they shall beat their swords into plowshares and their spears into pruning hooks."

The Corregidor Bataan Memorial Commission is almost a congressional committee, since of the 9 members 6 must be Members of Congress. In the actual memorial and in the active continuing use of it as a living memorial, we trust and believe that it will be of incalculable value to the cause of better international understanding between the East and the West.

SUPPORTERS OF THE PACIFIC WAR MEMORIAL ON CORREGIDOR ISLAND

President Quezon, during the tragic days of the war stated that Corregidor should be preserved as a memorial.

Every other Philippine President, Rojas, Quirino, Magsaysay, and Garcia have been deeply interested in our efforts to place a memorial on Corregidor and given their support. The Government of the Philippines set aside Corregidor to be preserved as a shrine, and created the Philippine National Shrines Commission. It was directed to work with the Corregidor Bataan Commission and has done so enthusiastically. It has officially and unanimously expressed its full endorsement of the concept and plans for the construction of the memorial. The members have individually and collectively expressed their unqualified appreciation of the winning design and officially approved it. They have stressed the great desire of the Filipino public to see the proposed memorial erected soon.

The Honorable Eulogio Balao, when Secretary of Defense, stated, "I hope very soon, we shall see standing on Corregidor a living symbol of the gallant struggle."

The Honorable Carlos Romulo said, "It is for this reason that we in the Philippines are happy to know that the United States Government has created a Corregidor-Bataan Memorial Commission and that plans are underway—and we sincerely hope they can be carried out soon—to build a memorial with Corregidor as its pedestal. Done with proper sensitivity, this memorial will be a perpetual beacon light to show the world the road to peace." On July 17, 1958, he said, "you are rendering an incalculable service to the cause of Philippine-American friendship."

The Defenders of Bataan and Corregidor, the representative veterans' group in the Philippines has written in part as follows:

"The Veterans Organization in the Philippines will be eternally grateful for the magnificent plans you have for the monument. * * * I can only say that they are with me 100 percent behind the idea."

The Corregidor-Bataan Veterans Association in the United States has discussed plans to hold its annual reunion on Corregidor when the dedication occurs.

General MacArthur said in a letter to the Chairman:

"It is indeed a most worthy purpose. For no soil on earth is more deeply consecrated to the cause of human liberty than is that of the island of Corregidor and adjacent Bataan Peninsula. There, American and Filipino blood is intermingled to immortalize

that gallant stand taken to resist against desperately overwhelming odds the onrush of the forces of despotism which sought to blot the concept of freedom from the face of the earth.

"I am quite confident that you will find among our countrymen few who will hesitate to support the erection upon that hallowed ground of so suitable a memorial to those who there fought and bled and died in desperate resolve that liberty should live."

Fleet Adm. Chester W. Nimitz has endorsed wholeheartedly the proposal and served on the jury of award which selected the winning design for the memorial.

Gen. Jonathan M. Wainwright wrote as follows:

"Even while the fighting was going on, I visualized such a thing in the future, and of course, I am more than interested in seeing the project go through."

Major General Moore, who surrendered the Corregidor forces said:

"I feel that such a symbol erected on that hallowed ground would exert a deep influence throughout the Far East and impress upon all who see it the unselfish ideals of American democracy."

I could quote similar statements from Gen. A. M. Jones, one of the commanding generals on Bataan; General Krueger, who commanded the Army ground forces, and General Kenny, who commanded the Army Air Corps, both served on the jury of award and are giving their support to the cause.

No effort has been made to collect endorsements and these are but a few of many statements agreeing with the goal of the Commission.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 3186. An act to extend for 1 year certain programs established under the Domestic Tungsten, Asbestos, Fluorspar, and Columbium-Tantalum Production and Purchase Act of 1956; and

S. 3567. An act to amend the International Claims Settlement Act of 1949, as amended (64 Stat. 12).

The message also announced that the House had agreed to the amendment of the Senate to each of the following bills of the House:

H. R. 1574. An act for the relief of Albert Hyrapiet; and

H. R. 11874. An act to record the lawful admission for permanent residence of certain aliens who entered the United States prior to June 28, 1940.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following bills, and they were signed by the President pro tempore:

H. R. 6824. An act for the relief of the family of Joseph A. Morgan;

H. R. 7241. An act to amend section 6 of the act of March 3, 1921 (41 Stat. 1355), entitled "An act providing for the allotment of lands within the Fort Belknap Indian Reservation, Mont., and for other purposes.";

H. R. 7267. An act for the relief of Charles J. Jennings;

H. R. 7375. An act for the relief of Edward J. Doyle and Mrs. Edward J. (Billie M.) Doyle;

H. R. 7576. An act to further amend the Federal Civil Defense Act of 1950, as amended, and for other purposes;

H. R. 7660. An act for the relief of Dan Hill;

H. R. 7681. An act to authorize the Secretary of the Interior to convey certain land with improvements located thereon to the Lummi Indian Tribe for the use and benefit of the Lummi Tribe;

H. R. 7684. An act to provide that the Secretary of the Navy shall transfer to David J. Carlson and Gerald J. Geyer certain interests of the United States in an invention;

H. R. 9139. An act to amend the law with respect to civil and criminal jurisdiction over Indian country in Alaska;

H. R. 10142. An act for the relief of Hugh Lee Fant;

H. R. 10260. An act for the relief of Natale H. Bellocchi and Oscar R. Edmondson;

H. R. 10426. An act to provide that the Federal-Aid Highway Act of 1956 (Public Law 627, 84th Cong., ch. 462, 2d sess.) shall be amended to increase the period in which actual construction shall commence on rights-of-way acquired in anticipation of such construction from 5 years to 7 years following the fiscal year in which such request is made; and

H. R. 12293. An act to establish the Hudson-Champlain Celebration Commission, and for other purposes.

HUMANE METHODS OF SLAUGHTER OF LIVESTOCK

The Senate resumed the consideration of the bill (H. R. 8308) to establish the use of humane methods of slaughter of livestock as a policy of the United States, and for other purposes.

The PRESIDING OFFICER (Mr. TALMADGE in the chair). The question is on agreeing to the committee amendment in the nature of a substitute.

Mr. PURTELL. Mr. President, I favor the enactment of effective humane slaughter legislation, and I strongly favor the utilization of humane methods of slaughter in this country as soon as possible. I am opposed to the proposed delay through further study of this matter. I am sure that all the members of the Agriculture Committee would like to see humane slaughter practiced in this country, but I disagree with the procedure the committee suggests in order to achieve this objective.

Two more years of study, as provided for in the bill reported by our committee, I believe to be absolutely unnecessary. I understand that way back in 1929, the meatpacking industry promised humanitarians that it would voluntarily install humane methods. Are we to assume that the industry has been studying this matter since that date? Compulsory legislation on the subject, I believe, was first introduced in 1955 by my colleague, the junior Senator from Minnesota [Mr. HUMPHREY]. I wonder whether that occasioned the hastening of the industry's study of this matter. If so, I imagine the study has somewhat slackened since June 18 of this year, when our Senate Agriculture Committee reported a bill which now would have the Agriculture Department study the matter. Did the Agriculture Department need to have a congressional directive before it could study this problem? It has now been 3 years since the

proposed legislation was first introduced, and I am inclined to think that the Department spent more of its time in writing adverse reports on the several bills on the subject than it devoted to study and constructive thinking as to how best to put into practice humane methods of slaughter.

Study by the industry, study by the Agriculture Department, study by a commission. To paraphrase, it would seem that we are going to have "Study, study everywhere, but not a lamb to spare" from the cruelty of inhumane slaughter.

The more one studies this study idea, the more apparent it becomes that such a procedure is totally unnecessary and is simply a substitution of wasted time for ready and needed action. I keep asking myself, "What are they going to study?" Surely, not how to develop means to be used in the practice of humane slaughter. In the perfected Remington stunner, the captive-bolt pistol, and the use of carbon dioxide, we already have the means.

Are they going to study the financial burden the requirement of humane slaughter would place on the producer? They need not do so. I understand that mechanical stunners, ranging in price from \$100 to \$200, are available. I am advised that when the slaughter-animals inhale carbon dioxide, there is an absence of struggle and a resultant reduction to a minimum of meat wastage. I understand that the bruising caused by inhumane methods of slaughter causes the waste of many millions of dollars' worth of meat, annually. Some packers who already use humane methods in their plants, have thus found them more economical than the cruel methods still employed by the majority of packers.

Mr. President, try as I may, I cannot conjure up any phase of the proposed legislation which would constitute the slightest excuse for further study.

I want briefly to touch upon the adverse reports received from the Departments. Of course, all of them state that they favor humane slaughter, "but," and then follow their reasons for opposing the enactment of an effective bill. I would wager that after 2 years of further study, their reasons for opposition would remain unchanged. I believe that wise administration of the law we propose would dissipate these objections.

One Department objects "that the use of electrical means for stunning or killing animals can result in the formation of toxic substances in the tissues of the beasts so treated."

The answer to this objection is quite simple. The Secretary of Agriculture would not, and should not, approve this method of slaughter if the effects be as indicated by the Department. Such a determination is authorized the Secretary, under our proposal. Certainly, none of us here proposes the mandatory use of any method which would result in making the meat unfit for human consumption.

One Department objects that—

Large packers, for whom Government supply represents only a small percentage of their production, might be willing to forego this percentage rather than to make expensive changes in their systems or install

methods, which could, after the further research provided for in the bill, be found to be unacceptable to the Secretary of Agriculture.

First, I should like to say that I do not believe that these packers will forgo the Government business. But if, in order to keep from reducing their profit by what I would judge to be a relatively infinitesimal amount, they did forgo selling to the Government, then I would say, "Shame on all their slaughterhouses." If they did boycott selling to the Government, rather than practice humane slaughter, then it would not be beyond the realm of possibility that they, too, might be boycotted by the consumers when they make their purchases at the meat counters.

The objection I have just quoted would also presume that humane slaughter methods would be in a constant flux of change, like the styles in ladies' dresses. Of course we would wish to put into effect developed improvements in humane slaughter; but certainly wise and fair administration of the law would obviate the possible hardship this Department dreams up.

I could go on and on contesting the Departmental objections, but I shall leave this subject by reminding my colleagues that Departmental reports on proposed legislation are not sacrosanct. Our committees request the reports. Many times the recommendations contained in the reports are most helpful, and at times they are essential. But all of us know that many times we in Congress do not agree with the views expressed by the Departments, and we forthwith pass the proposed legislation in question.

I am convinced that we now have before us a proposal which should be favorably acted upon by the Senate, despite the insubstantial reasons offered in opposition by the Departments.

Mr. President, in this proposed legislation not only are we providing for humane treatment for the animals to be slaughtered, but at the same time we are giving proper consideration to the workers in the packing firms, who otherwise must inflict needless and gruesome cruelty in the performance of their jobs—or, at least, until such time as seniority gives them a most welcome escape to more civilized duties.

I know there has been some objection on religious grounds to this bill and to other pending humane-slaughter legislation. Our substitute, as did the original bill which I cosponsored, provides that slaughtering in accordance with the requirements of any religious faith shall be considered an approved method of slaughtering. Certainly, Mr. President, I would not support this proposed legislation if I were not convinced that it would safeguard, and would not make encroachments on, the rituals or requirements of any religious faith.

In closing my remarks, Mr. President, I touch upon a sentimental note: I am sure that many of my colleagues who have ever owned a dog as a pet and a friend, and countless thousands of other doglovers throughout America, vicariously experienced qualms when they

read about the Russian dog Laika which was entombed alive in sputnik, to suffer the cruelty of death by starvation.

Whether a mouse, a guinea pig, or some other animal less close to man would have served the purpose, I do not know. But, at least, Mr. President, there was a definite, and I assume, useful purpose in this cruel death for Laika. I ask my colleagues to experience some qualms now over the needless, and without purpose, gruesome cruelty being practiced in this country at this very moment in the slaughter of animals.

I think the time is well passed when we should give continued, further studies to the subject, but we should adopt provisions as contained in the House bill. Now is the time to act. I hope the Senate will so act.

Mr. KEFAUVER. Mr. President, cruelty of a kind which would not be tolerated in the public view has gone on too long in many slaughterhouses. I have witnessed the slaughter of pigs by the standard method, heard the terrible screaming as the animals are dragged aloft hanging by one foot, seen the grim struggle when the sticker knives them, and observed in this whole barbarous procedure a combination of pain and terror for animals and danger and degradation for men which ought to have been stopped long ago in the United States of America. I know that it can be stopped because I have also seen hogs slaughtered without a squeal, without even so much as a drop of blood splashing on the sticker, without any of the brutal and nauseating occurrences which standard hog slaughter and all standard slaughtering entail. These hogs were anesthetized so that they felt neither pain nor fear. The men operated quietly, accurately, and unhurriedly, and yet killed hogs at a faster rate than before. The hogs rode on a moving belt into a tunnel containing 65 percent carbon dioxide, and after about five breaths became unconscious. More than 15 million hogs have been anesthetized in tunnels of this kind in the past 7 years. The method is a proven one in use in six different plants under Federal meat inspection. The time has come to put an end by law to the cruel old method.

Legislation to make humane slaughtering mandatory will not harm any packer, whether he be one of the giants or whether he operates one of the smallest rural plants. In my experience, the little people in this industry are way out in front in the humane killing of food animals. Many a small plant is killing every one of the animals it receives by a method fully in compliance with the bill as passed by the House of Representatives, that is, by rendering the animal insensible with a single gunshot prior to shackling, hoisting, and sticking. It is time those packers who kill the majority of our livestock took a page out of the books of these fine, humane, small plants and stopped the protracted cruelty they are now practicing for no good reason.

Mechanical stunners can be used for the humane slaughter of every kind of meat animal, and I have looked into

their prices. The cost of the gun or stunners is very small, and the ammunition costs 2 to 4 cents an animal—a small price to pay to substitute mercy for cruelty. But in this case kindness pays in dollars and cents, too. Packers who are using these stunners have found that they are saving money because they reduce injuries to men and animals alike, increase blood recovery, and slaughter more rapidly. The obligation to use humane slaughtering methods could not put any packer, small or large, out of business.

With humane methods readily available and in use daily in that regrettably small proportion of plants which are voluntarily considerate and kind, I submit that it is time to pass forceful humane slaughter legislation.

I know there may be some amendments which should be adopted to the House bill. It seems to me that the religious section of the House bill, section 6, is fully adequate, but if it can be tightened or enlarged, I am certain the sponsors of the House bill will be glad to have that done. In any event, if the committee amendment is accepted, there will not be an opportunity of improving the House bill now so as to eliminate any of the complaints about it or make it more acceptable to the Congress. It is certainly time that we do something in this field rather than make a further study.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. KEFAUVER. I yield.

Mr. HUMPHREY. Technical amendments will have to be offered to the House provisions because of the change in dates. If there need be any further improvements, they certainly can be made when the Senate conferees meet with the House conferees.

Mr. KEFAUVER. As I understand, there are no penalties provided in the bill except in relation to food products purchased by the United States Government.

Mr. HUMPHREY. The Senator is correct. Also, everything provided for in the Senate committee amendment in terms of study is also contained in the bill as it came from the House, which is the bill the Senator from Tennessee and I are supporting.

Mr. KEFAUVER. I had the opportunity of visiting the Hormel plant in the Senator's State. I believe an executive of the plant testified before the committee that the humane technique used actually decreased the labor costs in the plant. Is that correct?

Mr. HUMPHREY. The Senator is absolutely correct. The witness further advised the committee as to the increased efficiency of the plant, which I suppose is related to the reduction of labor costs.

Mr. KEFAUVER. Is it not true that even for a small packer there are other methods of stunning an animal into insensibility made available by Remington Rand, or an electric company, which methods are comparatively inexpensive?

Mr. HUMPHREY. The Senator is correct. It is interesting to note that the complaints about the bill we are supporting come not from the smaller packers, but from the larger ones. The com-

plaints come from the packers most able to afford the cost of installing such techniques.

Mr. JAVITS. Mr. President, I had not intended to discuss the bill at this stage, because I felt the debate as between the so-called study bill and the substantive matters which are raised by the House bill would turn upon other arguments, some of which have been made before in this debate. For example, there is a difference of opinion, as I understand, whether, as a matter of fact, the methods prescribed by the House bill are demonstrably humane; and there are various other questions.

At the very outset of the discussion of the committee amendment, which is under consideration, and about which I thought the debate would be on totally different grounds, a question was raised on which I have some special knowledge. Hence, I feel impelled to share with the Senate my information upon that subject. I think it is important that every Member of the Senate, when he votes, shall understand the situation, inasmuch as the question has been raised. So I speak, not in a sense of advocacy, but in the desire to put before the Senate a state of facts about which I feel the Senate needs to have knowledge, the subject having been broached.

As everybody knows, I come from an area of the United States in which there is a very large population interested in the religious aspects of slaughtering. I, myself, as everyone also knows, am of the Jewish faith; I have had some personal experience with this whole matter.

First, there is no doubt of the fact that humaneness in the slaughtering of animals is a long-standing tradition of the Hebrews, going back to the time of Moses. It was referred to in the Senate today, I think very graciously, when the Senator from Oregon pointed out that one of the qualifications which Moses had which made him find favor in the eyes of the Lord was his kindness to animals. We are all familiar with the rebellion of Moses against the cruelty practiced on animals in those days by the Egyptians.

This tradition came down through history, and was advocated by various prophets and great leaders in my faith, down to the time of Maimonides, almost within reach of modern times, who repeated all these precepts and traditions. Hence it is that one of the orthodox Hebrew faith will not eat meat which has not been slaughtered according to very carefully designed ritualistic practices. Those have all been testified to in the greatest detail before the Senate committee. I think it is fair to say, and I think the Senator from Minnesota will agree, it was demonstrated that the methods of slaughter which are called Shehitah, or Kosher slaughter, represent human methods of slaughter which have been developed through the centuries with the greatest ritualistic care, and with careful attention to the character as well as the qualifications of those who engage in the practice, and who have a training which is equivalent to that of the Rabbinate,

and who in many cases are themselves rabbis.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. HUMPHREY. I said earlier, and now wish to repeat, that during the hearings in May of 1956, because the subject matter of kosher slaughter came before the committee, we asked for scientific information relating to the matter. A substantial body of evidence was presented, which is in the files of the Committee on Agriculture and Forestry, and was included by reference in our report.

I concur fully with what the Senator has stated. Not only is such a procedure accepted as a humane method of slaughter, but it is so established by scientific research.

Mr. JAVITS. Mr. President, I appreciate those comments of my friend. I might say there has never been any question in my mind, and I do not think there has ever been a question in the mind of anyone else in the country, as to the personal disposition of the Senator from Minnesota toward minorities of whatever complexion or whatever faith in our country. The Senator has a great record in that respect, and I think it obtains with respect to our present discussion.

Mr. President, I wish to refer to a book entitled "Religious Freedom: The Right To Practice Shehitah," written by Rabbi Isaac Lewin, Rabbi Michael L. Munk, and Rabbi Jeremiah J. Berman.

At page 14 there is a brief statement which sets forth the fundamental tenets of the faith which I have been discussing. Since it is brief, I shall take the liberty of reading it to the Senate:

This universal religious freedom, sanctioned in the above-mentioned historic pronouncements, does not exist for Jews, inasmuch as in a number of countries they are denied the right to practice shehitah, their religiously commanded method of slaughtering animals for food. Since Jews may not, by the tenets of their faith, eat meat not slaughtered by the shehitah method, the legal suppression of the Jewish slaughtering rite deprives Jews of meat and thus constitutes a grievous form of discrimination.

The legal proscription of shehitah is accomplished by indirection. The name of the Jewish rite is generally not employed. The law requires simply that animals be rendered unconscious before being butchered. This innocent-sounding requirement, however, is tantamount to outlawing of shehitah, since stunning by any method renders a creature unfit for Jewish slaughtering.

Mr. President, the fundamental reason for opposition by those in Jewish Orthodoxy who testified before the committee, I think, is intimately related to religious freedom, and therefore I think needs to be laid out and explained, as I said when I began, by way of information for the Senate. The opposition, as I understand, is based on a concern that if this practice is cast into the field of legislation, whether the legislation be positive by way of permission or be negative by way of exemption, the practice is placed within the regulatory control of Government either in the positive or in the negative form. Thereby it is felt religious freedom is impaired.

To test the theory out, as a practical matter and as it would be considered

by a lawyer, let us assume that the bill as it came from the House should pass and we should have the exemptions which have been specified as amendments made in the other body with respect to the method of slaughter. It is entirely understandable that a Government official would wish to be sure that the exemptions are really being earned. Such a Government official would have a right to be sure that the exemptions claimed were really earned. I believe it is clear that alone would represent, in the minds of those who testified, and I think it is very important that their case be laid before the Senate, an intrusion into religious freedom by an agency, albeit a Government agency, and therefore an impairment, fundamentally, of very deeply held convictions of faith.

Therefore, the reason the study bill was more acceptable—although, as testified, the witnesses did not favor any of the bills—is that at least the study bill provided a period of time, in view of those sponsoring the bill, in which careful deliberation and study and experiment might work out some formula which would resolve the very grave doubt and concern very deeply and very sincerely held.

Perhaps if I can leave anything with the Senate it should be the depth and sincerity of this feeling, of which I am convinced. There is no question about that point of view, Mr. President. There is a deep and sincere feeling among these people. There is a conviction of the danger such action as is proposed would bring, from centuries-old history of viewing such action as the forerunner of oppression which, incidentally, is very eloquently referred to in the book from which I have quoted. In fact, the effort made under the Nazis to suppress Jewish life and practice through the suppression of ritualistic slaughter lives vibrantly in the minds of millions of people in this country and millions of people throughout the world.

All these ideas are present with respect to the discussion of the problem which took place before the committee. It is interesting to me that the letter to which my distinguished colleague, the Senator from Oregon [Mr. NEUBERGER] referred, from my predecessor, the former Senator from New York, Mr. Lehman—since it is his seat to which I was elected—states he came to certain other conclusions, as well as the conclusion which was read by my colleague, the Senator from Oregon [Mr. NEUBERGER].

The Senator from Oregon and I have agreed on the matter, and indeed at his request I shall ask to have the letter printed in the RECORD as a part of my remarks. I should like to read to the Senate two paragraphs from the letter, which bear upon what I have just said. I think the description of the situation fills out the picture even as former Senator Lehman saw it.

As I said, in the letter, from which the Senator from Oregon [Mr. NEUBERGER] read, former Senator Lehman states he is favorable to some measure of this character. I desire to quote from page 2 of his letter, as follows:

There were, of course, deep fears among some Jews—fears born not of years but of centuries of bitter experience—that the traditional Jewish rites of slaughter, which are, in fact, as humane as any animal slaughter could be, would be endangered. I have been—and I know you have been too.

The letter was written to the Senator from Minnesota [Mr. HUMPHREY].

I repeat:

I have been—and I know you have been too—deeply concerned to quiet these fears. Moreover, legislation which casts any kind of a shadow on religious sensibilities must naturally be most carefully weighed to make sure that there is not even the threat of interference.

Bearing these things in mind, I have tried to be helpful, as a private citizen, in bringing together some of the Jewish groups which have been concerned and disturbed by the possibilities I have mentioned; as a result of these consultations, as you know, several suggestions were made to the sponsors of this legislation that would have clarified the legislation as passed by the House. As you also know, none of these proposals had the agreement of all the Jewish community. The leaders of the organized Orthodox groups have continued to oppose this legislation in toto. I think you should also understand that while the organizations representing the majority of Americans of Jewish faith found that adequate safeguards could be written into this legislation, most of them felt that their interest, as Jewish organizations, had to be reserved to this protection of Jewish ritual slaughter. They did not feel justified in taking any stand on the overall purposes of the bill.

Mr. President, I ask unanimous consent that the entire letter be printed as a part of my remarks.

The PRESIDING OFFICER (Mr. JOHNSTON of South Carolina in the chair). Is there objection to the request of the Senator from New York?

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

JUNE 20, 1958.

Senator HUBERT H. HUMPHREY,

Senate Office Building,
Washington, D. C.

DEAR HUBERT: I have, of course, noted the action of the Senate Agriculture Committee in turning down your humane slaughtering bill in favor of a study bill. I have not yet seen a copy of this bill as reported and, since I am just about to leave for Europe, I will not have an opportunity to read it unless a copy catches up with me in the course of my travels abroad.

I regret that our efforts were not able to result fruitfully up to this point. Naturally, I do not know what final action will be taken on this legislation when and if it is called up for consideration and debate on the floor.

You know, of course, of my interest in the subject matter. Ever since you introduced legislation on this subject a number of years ago while I was still a member of the Senate, I have indicated my general support for a constructive measure to accomplish the objectives you had in mind, provided, of course, that full and adequate protection was given to the process of Jewish ritual slaughter. I know that you have been similarly concerned with this latter phase of the matter and have given much study to it.

During the last 6 weeks, as you know, I have been spending a good deal of time in consultation with representative Jewish groups and organizations in an effort to refine and clarify the provisions governing

Jewish ritual slaughter in such a way as to maintain the protections while insuring that the general objectives of the legislation are not frustrated.

Humane treatment of animals is not only consistent with the Jewish faith, but is, in fact, mandated by Jewish law and tradition. I have always felt that legislation in the direction of the objectives you have outlined, is not only sound and desirable in itself, but happily coincident with the traditions of my particular faith.

There were, of course, deep fears among some Jews—fears born not of years but of centuries of bitter experience—that the traditional Jewish rites of slaughter, which are, in fact, as humane as any animal slaughter could be, would be endangered. I have been—and I know you have been too—deeply concerned to quiet these fears. Moreover, legislation which casts any kind of a shadow on religious sensibilities must naturally be most carefully weighed to make sure that there is not even the threat of interference.

Bearing these things in mind, I have tried to be helpful, as a private citizen, in bringing together some of the Jewish groups which have been concerned and disturbed by the possibilities I have mentioned; as a result of these consultations, as you know, several suggestions were made to the sponsors of this legislation that would have clarified the legislation as passed by the House. As you also know, none of these proposals had the agreement of all the Jewish community. The leaders of the organized orthodox groups have continued to oppose this legislation in toto. I think you should also understand that while the organizations representing the majority of Americans of Jewish faith found that adequate safeguards could be written into this legislation, most of them felt that their interest, as Jewish organizations, had to be reserved to this protection of Jewish ritual slaughter. They did not feel justified in taking any stand on the overall purposes of the bill.

However, I want you to know, should the question come up in the course of debate or other consideration of this legislation, that in my judgment, for what it is worth, your bill, with adequate protection for Jewish ritual slaughter—with the Anfusio amendment as it could, and should be modified—not only represents no real threat to the sensibilities of my faith, but is, indeed, consistent with the objectives of humaneness which are honored in the Jewish faith and tradition as well as in others.

I hope that the remaining weeks of this session of the Senate will not be too strenuous and that you and all my friends on the Hill will have a good summer.

With kindest personal regards,

Sincerely,

HERBERT H. LEHMAN.

Mr. JAVITS. Mr. President, I have made this request with the complete concurrence of my distinguished colleague, the Senator from Oregon.

I have a heavy responsibility in this matter. There is no question about the fact that very, very large numbers of people in my State feel as the Senator from Minnesota does. Moreover, I think the people of my State expect me in the deepest conscience to do whatever I can to protect the deeply held religious convictions of a minority, no matter how small, because this is a very fundamental principle of our society.

It is in this situation I find myself at the present time. I might say, in all frankness, like any other modern human being, I have a deep sympathy for the new methods and the ideas which

are put forward in the proposal of the Senator from Minnesota [Mr. HUMPHREY], which came to the Senate from the House of Representatives.

I feel, Mr. President, that since the subject has been raised—frankly, I hoped it would not be raised, because I did not feel it was germane to the question whether the Senate should vote up or down the committee amendment—it was my duty, knowing something about the matter, knowing some of the fundamental facts, and having some of the spiritual elements in my own heart, to lay before the Senate the factual information, with which every Senator can do as he pleases in his own good conscience. I felt at least the information should be available to Senators.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. HUMPHREY. First, I wish to express my personal thanks to the Senator from New York for his very constructive contribution to this discussion and to the legislative history of this proposal.

I am sure the Senator from New York knows that the problems to which he has referred, relating to the religious-freedom aspects of this legislation, are problems which have been very close to my heart. I do not wish to be sentimental about it, but I have spent many hours in consultation with spiritual leaders of Jewish orthodoxy, leaders for whom I have the highest regard and greatest affection. While I may be mistaken—and I hope and pray that I am not—I do not believe there is anything in the proposed legislation which would do injury to anyone's religious belief. If there were, I would be the first to advocate its repeal and abolition from the statute books. I can think of nothing that would be more disastrous to the good name of the United States than for us to indulge in any item of legislation which smacks of intolerance or of denial of the basic rights, particularly the right of religious freedom. I have said that before, and I reiterate it.

Again the Senator from New York has made a very helpful presentation, for which I am most grateful.

Mr. JAVITS. I thank the Senator from Minnesota.

This is a rather interesting situation. We are in the midst of tremendous world struggles, and there arises a question which is outside the area of those struggles, and which brings forth certain springs of consciousness and spiritual feeling which will perhaps decide whether we shall be able to meet those challenges.

I should like to finish my exposition to the Senate by stating that, just as I have spoken of the deep sincerity and conviction, in terms of religious faith, of those who spoke from the standpoint of Jewish orthodoxy, and who testified before the committee, so I want the Senator from Minnesota to know that I feel that he, too, in everything he is doing, is proceeding with the same deep spiritual and religious conviction. If views differ, the difference is only in the end result at which two minds arrive. It is certainly not a difference in depth of feel-

ing, which in both cases is profound and sincere.

Mr. NEUBERGER. Mr. President, as we near the time when the Senate is to vote on this important and eventful measure, which is of such significance to many people in the country, I express the hope that the House version will be passed by the Senate.

I should like to call one thing to the attention of the Senator from New York [Mr. JAVITS], who has made such a moving and eloquent statement on the floor of the Senate today. The three sponsors of the original Senate bill were the distinguished Senator from Minnesota [Mr. HUMPHREY], the distinguished Senator from Connecticut [Mr. PURTELL], and myself.

—I think it is of some enduring importance, in the light of the fact that a religious issue has been discussed in the Senate today, that the three members of the Senate who were the sponsors of the bill and who originally offered it in the Senate, represent three of the great religious faiths. One is a Protestant, another a Catholic, and the third a Jew. They represent three of the major religious groups in our country. I think that fact may be of some symbolic significance since, as the Senator from Minnesota has said, there is absolutely no intention on the part of the proponents of the proposed legislation to discriminate against any religious group whatsoever, or to conflict with the abiding principles of any faith.

I thank the Senator from New York for the statement he has made, and the eloquent and persuasive and very fair way in which he made it.

I shall not take much time, because the issue has been thoroughly discussed. However, I wish to mention one fact.

During the past few weeks there has been some ridicule by reason of the circumstance that so much mail has been received by Members of the Senate in behalf of humane slaughter legislation. I even read an article in the New York Times in which it was stated that the President of the United States had received more mail in connection with humane slaughter legislation than on almost any other issue. This, of course, was prior to the military crisis in the Middle East.

Mr. President, I am proud to be a citizen of a country whose people care about such an issue. This is not the first time such an issue has arisen. There was a time when women who were supposed to be fashionably dressed wore egret plumes in their hats. That was regarded as a sign of great affluence and elegance on the part of the husbands or other escorts of the women who wore egret plumes.

Great writers in the field of nature and wildlife wrote about the torture inflicted on those birds, when the beaters went through the swamps and tore the magnificent plumes from the egrets while they were still alive. The swamps of southern California, many of the Southern States, and of Mexico ran red with the blood of the adult birds. Then the mink and otters came and ate the baby birds in the unguarded nests.

That was stopped by legislation before anyone now a Member of the Senate was

here, except perhaps the distinguished Senator from Arizona [Mr. HAYDEN].

This is a country in which people care about things like that. A great President of the United States, Theodore Roosevelt, cared about the slaughter of the bison, which once numbered 60 million on the Plains when Lewis and Clark went West, but which were reduced to a pitiful few hundred; and even those few hundred would not have survived had not Theodore Roosevelt been able to arouse public opinion to save them, so that little children may now go to zoological parks and see what the bison, which once blanketed the Plains, looks like.

So, if we are to ridicule those who write to us about humane-slaughter legislation, let me say that I, for one, am glad to see that the 96 Members of this body have the honor to represent people who care about such things. They are my kind of people.

Recently I read a biography of Dr. Albert Schweitzer, one of the greatest humanitarians of our era or any other era. He took his medical skills to the jungles of Africa to try to bring some measure of treatment and care to people who had been neglected, people who had one of the highest infant mortality rates to be found anywhere, and most of whom had been dying in their early thirties or forties.

Dr. Schweitzer left the great capitals of Europe, where—with his medical skill—he could have commanded munificent fees, to go into the African jungles.

Someone once asked Dr. Schweitzer what he thought were the marks of a civilized person. He replied that one of the three most important and enduring marks of a civilized person was kindness to animals. I am willing to let Dr. Albert Schweitzer pass this moral and ethical judgment for me.

I am proud to be associated with the Senator from Minnesota and the Senator from Connecticut, and to be 1 of the 3 principal sponsors of the bill. The most important sponsor, who has carried on the fight for so long, against great odds, is, of course, the able Senator from Minnesota.

Mr. President, I shall not speak very much longer. I think the case has been established, and that some very effective statements have been made.

This is not the first country in which such legislation has been proposed. Humane-slaughter laws are now in effect in many countries. Humane-slaughter laws were adopted in Great Britain in 1933; in Norway in 1924; in Sweden in 1937; in Finland in 1934; in Denmark in 1952; in Switzerland in 1874; and in New Zealand in 1948.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point the testimony before the House Committee, which was considering this issue in 1957, by Mr. Arnold Mayer, public relations director and Washington staff member of the Amalgamated Meat Cutters and Butcher Workmen of North America, whose statement I consider to be significant. It comes from a man who speaks for many of the workers who toil in the packinghouses and slaughter-

houses where millions of animals are killed each year for American dinner tables; also the statement before the same committee by Lieutenant Colonel D. J. Anthony, chief veterinary officer at the Brierley Hill Packing Plant, at Staffordshire, England.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

STATEMENT OF ARNOLD MAYER, PUBLIC RELATIONS DIRECTOR AND WASHINGTON STAFF MEMBER OF THE AMALGAMATED MEAT CUTTERS AND BUTCHER WORKMEN OF NORTH AMERICA, AFL-CIO; ACCOMPANIED BY LARKIN BIRMINGHAM, BUSINESS AGENT, LOCAL 149, BALTIMORE, MD.

Mr. MAYER. May I introduce Mr. Birmingham, who is a business agent of our local 149 in Baltimore, which has a great number of packinghouses under contract.

Mr. POAGE. We are delighted to have you here, Mr. Birmingham. You may proceed and we will be glad to hear from you.

Mr. MAYER. Thank you, sir.

My name is Arnold Mayer. I am the public relations director and a Washington staff member of the Amalgamated Meat Cutters and Butcher Workmen of North America (AFL-CIO).

The AMCBW is a labor union with 350,000 members, organized in more than 500 local unions throughout the United States and Canada.

The AMCBW and its locals have contracts with thousands of employers in the meat, retail, poultry, egg, canning, leather, fish processing and fur industries.

Basically, it is the function of labor unions to fight cruelty of man against man, especially in the economic sphere. As organizations of workers, the unions' primary purpose is to protect wage earners.

Thus, through unions, workers guard themselves against deprivation and poverty by bringing about an ever-increasing standard of living.

Through their unions, workers provide a degree of job security and the machinery to handle on-the-job grievances, so that they will not be at the possibly capricious mercy of foremen and employers.

Also, through their unions, workers protect themselves against poverty in old age, unemployment, and other eventualities which may occur through no fault of the individuals involved.

But organized workers realize that they are not a group set off by themselves. They know they are part of the entire American community.

Labor unions, therefore, seek to improve the conditions of other groups and the entire community, especially through the support of socially beneficial legislation and through community activities.

AMCBW takes part in all of the functions of labor unions. In collective bargaining, in legislative activities and in community work, our union and its local affiliates have sought to better the lives of our members; labor, in general, and the community and Nation, as a whole.

We fully realize that bettering the lives of human beings and preventing cruelty of man against man, must have as a corollary the prevention of cruelty against animals. This is one reason why we appear before this committee today in favor of humane slaughtering legislation.

Some of the processes in slaughtering cattle, hogs, and other livestock leave a great deal to be desired from the point of view of humaneness toward animals.

Today, comparatively inexpensive means for correcting this situation are available. And, we understand, that these means are completely practical.

Our other reason for supporting the humane slaughtering legislation is our concern for the welfare of the workers in the packinghouse industry. More than 100,000 packinghouse workers are members of our union.

Many of the jobs involved in the current process of killing hogs and cattle are dangerous, dirty, and nauseating. The workers do not like these jobs and generally want to be moved to other work in the packinghouse.

Probably the most heartily disliked job is the shackling of hogs. Workers must go into a small pen crowded with emotionally disturbed hogs. They must reach down among the animals to put a small shackle chain around one of the hog's hind legs. The chain is attached to a rail and the hog is yanked up into the air, and is pulled to the hog kill.

This operation is not only extremely painful for the hog; it also provides considerable danger to the worker. The hogs generally thrash around. Their hoofs are sharp. Workers are often gouged. Although the men wear protective equipment, it is not completely satisfactory and injuries are common.

A further danger comes from the great deal of dust which the terrified hogs kick up. As a result, pulmonary diseases, such as tuberculosis and silicosis, are a definite health hazard to packinghouse workers on the shackling job.

The cattle-killing operation is not as dangerous, but it is still nauseating work which is not generally desired. The so-called "knocking" of cattle, whereby a man hits the animal on the forehead with a hammer, is a physically demanding job. Great effort is involved. The pressure of an 8-hour day of this work is tremendous.

Both the shackling and the knocking job would be ended by this legislation. And packinghouse workers will be happy to see them go.

Our members have had experience with the captive bolt gun on cattle and the carbon dioxide tunnel for hogs. They have found them both to be effective and to make for far better working conditions.

In the poultry industry, humane slaughtering legislation will not have much effect on the industrial hazards. However, the legislation will make for some improved working conditions.

Our members have found the electric knife, which is already in use in many plants, to be a practical and humane means of killing poultry.

For these reasons, Mr. Chairman and gentlemen of the committee, we urge the enactment of mandatory humane slaughtering legislation.

We oppose the sections of any bill which allow the interpretation that kosher slaughter is inhumane. Such a conclusion about the slaughter of cattle carried out in accordance with the ritual of the Jewish faith is false.

The ritual provides for the cutting of veins with an extra-sharp knife—a process, which, according to scientific writings, immediately renders the animal insensible.

Because kosher slaughter accomplishes the same purpose as is sought in these bills, that is, rendering the animal immediately insensible, it should be listed as a humane means of slaughter.

Mr. POAGE. We are very glad to have had you, Mr. Mayer.

Mr. Birmingham, would you care to say something?

Mr. BIRMINGHAM. No, sir; unless the committee would care to ask me some questions about the slaughtering end because I have had 16 years of actual experience in cattle and hog slaughtering.

Mr. POAGE. I feel the committee has seen slaughtering at firsthand. It has probably

formed its own opinions, as I have, as to the present methods, but we are delighted to have any opinions from anyone else that wants to express them.

We are delighted to have you with us and appreciate your presentation.

Mr. BIRMINGHAM. Thank you, sir.

Mr. POAGE. Now we will hear from Lt. Col. David J. Anthony.

STATEMENT OF D. J. ANTHONY, MRCVS, DVSM, FRSH, CHIEF, VETERINARY OFFICER, BRIERLEY HILL, AT THE MARSH & BAXTER HEADQUARTERS PLANT, STAFFORDSHIRE, ENGLAND

Mr. ANTHONY. Mr. Chairman and gentlemen, my name is David J. Anthony, chief veterinary officer at Marsh & Baxter headquarters plant, Staffordshire, England.

In Britain up to the year 1930, humane slaughter methods were only carried out in some of the smaller abattoirs, when speed of killing was not a prime consideration.

The weapon used was the captive-bolt pistol, which is a mechanical poleax. The larger meat producers were opposed to the use of the pistol for the stunning of hogs in their plants, and the reasons they gave for not using it were that it would slow up production and leave more blood in the meat and so tend to encourage the growth of spoilage bacteria.

One of the more progressive bacon curers first had the German electric stunning method tried out in 1929. It was then in a very crude and inefficient state.

A year later a new version was tested, and found to be clean, swift, silent, and most efficient. Various tests were made by many eminent scientists, medical and veterinary, and the humane societies approved of the methods. Marsh & Baxter adopted it as a routine stunner for the smaller animals—hogs, boars, sows, calves, sheep, and lambs—throughout all their plants in Britain.

For cattle they adopted the captive-bolt pistol, which they had introduced on trial at the same time. The result was that other meat traders followed suit, and the Humane Slaughtering Act of 1933 followed in due course. From that day to this no British packer has even wanted to go back to the prehumane methods of killing, because after 20 to 25 years practical experience of pistol and electricity, they know they are on a good thing.

The introduction of the gas method at the Hormel plant has been followed with great interest, and if it was not for the fact that the Humane Slaughter Act in Britain only specifically mentions a "mechanical instrument or electricity," there is no doubt that gas plants would have been installed in many of our plants.

As it is, we are now awaiting a modification in our legislation which will allow "chemical" methods also to be used. Leading packers, as well as our humane societies, are agreed on this, and the Government has also indicated its willingness to change the law.

Even so, there will always be use for the other methods, where the situation does not warrant the expense of chemical installations, or the plant is too small.

Of course, in view of the religious element involved in the Jewish and Mohammedan slaughter ritual, our laws provide for that by complete exemption from the provisions of the act, and in most of the public abattoirs where ritual slaughter is carried out there is a special casting box in use.

This fixes the beast, enables the whole to be turned on its side, with the animal's neck extended in a position for the ritual slaughterman to do his bleeding, and so saves the violent fall onto a concrete floor which was once so common a feature of this slaughter method.

The controversy over humane slaughter with which we in Britain were so familiar in

the 1920's seems to be largely repeating itself wherever new methods of slaughter are introduced, and I would like to offer a few remarks based upon over a quarter of a century's experience of the use of humane slaughter methods.

We are told that great damage can be inflicted by the captive-bolt pistol on the animal brain, and so render that article unsalable.

The captive-bolt pistol is just a mechanical poleax, the bolt being driven by a small blank cartridge, instead of the less certain muscular action of the axman's arms.

A blunt hammer blow does not penetrate the brain, but it does induce hemorrhage beneath the brain membranes just as the captive-bolt does.

We find the captive-bolt does less damage to the brain than ever the poleax did. To penetrate into the brain the bolt must first pass through the outer layer of bone in the animal's skull, and then the inner layer forming the roof or cover of the brain cavity or cranium.

The two layers of tough bone slow down the speed of the bolt, and it certainly does not tear the brain when its end enters the brain-box itself.

Some hemorrhage may be caused in many cases, but the greatest damage to the cattle brain is done when it is removed from the brain cavity in the skull by the fingers of the slaughterman whose job it is to sever the head from the body.

Throughout the years we have never had any complaint from the food-consuming public about cattle brains, nor have we ever failed to find a ready sale for such articles in our shops.

The captive-bolt pistol can also be used on all the smaller food animals, such as calves, sheep, lambs, boars, sows, and hogs.

It is so used by thousands of small butchers up and down the land, especially in country districts and places remote from electric power.

There are two kinds of cartridge manufactured for this pistol, one ordinary for the smaller stock, and one extra strong for cattle and aged bulls.

We have found no difficulty in using this weapon, nor have we ever had any complaints from any customer.

In the early days of electric stunner operations and in order to demonstrate that there was no injury of a permanent nature caused to the animal, I once performed a short surgical operation upon some adult and aged boars, using as an anesthetic nothing but the electric current from the stunner.

This was done in the presence of three eminent medical and veterinary scientists. The animals operated upon were allowed to fully recover.

About a month later they were slaughtered by the electric humane stunner method. The organs and flesh were carefully scrutinized for any ill effects, but there was none.

Veterinarians working independently of each other, and in alliance with the physiological departments of various universities, carried out special tests to try and find out if electrically stunned hogs bled better than hogs without any stunning.

In each case the muscle blood content of the electrically stunned hogs was less than that of the nonstunned. The amount of blood collected per animal under electric anesthesia was greater than that collected without humane slaughter.

The reason was twofold: (a) Not only does electric stunning by its effect on consciousness completely relax the animal and so reduce the muscular blood content, but (b) the comparative lack of violent reflex movements after shackling and holting enables the slaughterman to bleed the animal into the proper receptacle.

In the unstunned hog, the shrieking, terrified animal hangs by one hind leg still

fully conscious, kicking and jerking on the rail violently.

When the knife is inserted, the blood spurts out and is splashed all over the place, much of it drying on the slaughter-pen walls and on the slaughterman's clothing.

Blood is a valuable byproduct; it can be used for blood-sausage, or for cattle food, fertilizer; and dried hog serum is a valuable source of protein which can be used in man in cases of excessive protein wastage due to certain kidney diseases.

Those are only a few of its uses. It is a good commercial product, and our plants cannot afford the wastage resulting from bleeding a nonstunned animal even if there were no Humane Slaughter Act.

One of the commonest diseases found in the hog lung in our country is virus pneumonia, and in meat inspection this has taken the place once held by tuberculosis, thanks to the eradication policy which is bearing such wonderful results.

Hog cholera in our country is classed as one of the controlled diseases which, like foot-and-mouth disease, is to be eradicated wherever found.

The laws about this disease of hog cholera are strictly enforced and every veterinarian, whatever his job, meat inspection or not, must not only report this disease to the Ministry of Agriculture, Fisheries and Food, but the diagnosis must be completely confirmed without doubt from the Central Veterinary Laboratory of the Government.

To do this the veterinarian first discovering signs of disease, say in the course of meat inspection, or on the farm, must send to the laboratory sufficient evidence to establish a complete diagnosis.

Every veterinarian must therefore be quite familiar with this disease in all its stages.

As a normal rule, hogs coming into bacon plants for slaughter are naturally bred for that purpose, and appear to the sender to be perfectly healthy and able to stand the journey.

When a case of hog cholera is reported by a veterinarian in a bacon plant, the disease will usually be in a fairly early stage. He may find advanced cases and chronic cases in old sows, but the bacon-hog shows an earlier stage in most of the cases I find.

It has been said that these cases show signs in the hog lungs which might cause a veterinarian to confuse hog cholera with lesions resulting from excessive use of current in electric stunning.

Such statements have never been made by those of us whose job it is to diagnose disease in plants where electric stunners have been in use over a quarter of a century.

I know of no veterinarian in Britain who would be so ignorant of the signs of hog cholera in the lung as to make the mistake of confusing it with electric-stunning hemorrhages. The argument just fails to register with us.

Much play has been made with these tiny blood spots which may sometimes be seen in hog lungs. The spotting in hog cholera, paratyphoid and other diseases is often accompanied by an intense blood congestion of the nearest lymph node, so intense as to be almost black in color.

The cholera spots may be anywhere on the lung surface, and there is no mistaking the pneumonia signs accompanying them. The extra oozing of the tiny drops of blood from the smaller blood vessels that may occur if the time lag between stunning and bleeding has been prolonged is nowhere capable of being confused with hog cholera signs.

This problem of blood spot, or blood splashing, as we call it, can be produced in any stunned animal by prolonging the time between the act of stunning and that of bleeding.

In the prehumane slaughter days in Britain, the drawing out of the time between stunning and bleeding in order to produce

a blood-splashed carcass was a favored method of demonstrators anxious to impress the representatives of the humane societies with the supposed incompetence of the humane killers.

It is a quite harmless condition, and should not occur where the animal has been properly stunned and bled.

To place these instruments in the hands of untrained people is really dangerous because it can be used to discredit the whole humane method of slaughter.

We therefore insist that there should be trained men rather than untrained men on the slaughterhouse floor. Efficiency and speed demands that and we use an 80-volt current applied for a matter of 4 seconds.

We find that ample to produce complete unconsciousness.

In our plants we find the men welcome the introduction of humane slaughter, as it means greater efficiency and less fatigue and danger for themselves.

Most of the cattle we slaughter are young, good-quality steers that have never known what it is to be tied up, and in the case of hogs, they are not all as uniform in size as we would like.

We kill a percentage of sows and adult boars in the 500 pounds and over deadweight category, and we have never found the slightest difficulty in getting them unconscious with the electric stunner.

Provided the instrument is applied with the electrodes of the tongs covering the brain on either side, there is no difficulty.

We find it helps to give the animal a soft fall by covering the stunning pen floor with wood, slatted in 6-inch rectangles to prevent the animal's feet slipping, and covering the lot with some inches of wood shavings.

As the hogs enter they are so intent on smelling these shavings that they take no notice of the electric stunner operator or the shackler.

Their snouts go down in such a position that it is easy for the operator, standing behind and to the side, to snap the tongs into position between ear and eye on each side, switch on the current and gently follow the animal's fall.

In the meantime the shackler has already hooked the chain to the wheel and the hog is away into the bleeding pen in a matter of seconds, all in silence, and with no panic or excitement.

We find the wood shavings keep the pen smelling sweet. It absorbs urine, and can be cleaned out and burnt after each day's killing is over.

Before we had humane slaughter we would normally kill at the rate of about 200 hogs per hour, but since we have had electric stunning we find something wrong if we do not top the 300 per hour mark.

Our plant is of the American pattern, having been constructed under the supervision of an American constructional engineer, and naturally we have the American machines in use, so that, size for size, we can get a fair turn of speed out, using only one hoist at a time to get the hogs bled.

In Britain not only do we control the slaughtering of animals by law, but no one under the age of 18 years is allowed to do the actual slaughtering.

Licenses are issued by local authorities for trained slaughtermen, and these licenses are renewable every 3 years subject to good behavior.

The slaughtering plant itself is also subject to license or registration by the authority in whose municipal or urban area it is situated.

Government departments draw up model bylaws to cover abattoirs, and any local authority can adopt these bylaws and enforce them in their own area if they wish. These laws deal with hygiene and the public-health aspect in general.

At the present time Parliament is considering some new legislation about the siting and construction of abattoirs, and to modify the humane slaughter acts so as to allow the use of gas, as you have in the Hormel plant here.

Many of our small packinghouse type of bacon-curing plants are ready for the installation of the CO₂ plant, which will probably be of the Danish Wernberg type, suitable for plants with little spare space to work in.

How that will work out with a variety in size of hogs we do not yet know, but the electric stunner will always be needed as a quick and efficient standby, in case of emergency, and for the plant where the expense of installing gas is too much for the firm to bear. The captive-bolt pistol will also be used constantly in our country for stunning cattle, until some marked improvement comes along.

As far as we in Britain are concerned, the humane slaughtering of animals has been with us for over 20 years, and the newness has worn out. Business executives who years ago were its bitterest opponents are today its most fervent advocates, because they feel that having found methods which are good, and make for increased efficiency, they like others to know about it.

There is no sentimentality about it—they look upon it as a business proposition which they once opposed, but which they found later to be worth while and paying dividends.

I know of no one in Britain who would ever wish to repeal the humane slaughtering legislation.

Before I resume my seat, may I be allowed, on a personal note, to thank you for your courtesy and consideration in allowing a stranger thus to address you.

It is for me a great honor. If it is your wish to put some questions to me, I shall be pleased to endeavor to reply to the best of my ability.

Mr. Chairman and gentlemen, I thank you.

Mr. POAGE. Thank you very much, Colonel Anthony. Are there any questions?

If not, we are very much obliged to you for your statement.

Mr. ANTHONY. Thank you, sir.

Mr. POAGE. We will now hear from our colleague, Mr. DORN of South Carolina.

Mr. NEUBERGER. I read a paragraph from Colonel Anthony's informative statement:

As far as we in Britain are concerned, the humane slaughtering of animals has been with us for over 20 years, and the newness has worn out. Business executives who years ago were its bitterest opponents are today its most fervent advocates, because they feel that having found methods which are good, and make for increased efficiency, they like others to know about it.

There is no sentimentality about it—they look upon it as a business proposition which they once opposed, but which they found later to be worthwhile and paying dividends.

I know of no one in Britain who would ever wish to repeal the humane slaughtering legislation.

I venture to say that if the Senate acts affirmatively today, as the Senator from Minnesota and I hope it will, in a short time no one in America either will desire to repeal the humane slaughtering legislation.

In conclusion, Mr. President, I ask unanimous consent to have printed in the RECORD as a part of my remarks a statement I have prepared in support of humane slaughter legislation embodied in the bill we originally introduced in the Senate and which we feel is contained in the bill which was passed a

short time ago by the House of Representatives, namely, H. R. 8308.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR RICHARD L. NEUBERGER

It was on April 28, just about 2 months ago, that I had the privilege of being the leadoff witness at hearings conducted by the Senate Agriculture Committee on the several proposals relating to humane methods of slaughter of livestock. I commented in my opening remarks, on that occasion, that I have been most sincerely interested in the enactment of humane slaughter legislation since my esteemed colleague, the able junior Senator from Minnesota [Mr. HUMPHREY], first introduced such a bill in 1955. I have been pleased to be his co-sponsor, and I have testified at every hearing on the need for enactment of a compulsory measure.

In the House hearings were held, too, and after long, patient deliberations, the Poage bill was passed on February 4, 1958. It was a measure that represented the yielding of extreme positions by different groups in behalf of the paramount objective—a bill that would at last provide the impetus for acceptance of humane slaughter practices in most packinghouses engaged in supplying the Government.

The Senate seemed destined to throw its support behind the Poage bill when the junior Senator from Minnesota moved on the Senate floor to have his bill made identical with H. R. 8308, as passed by the House.

Unfortunately, the H. R. 8308 reported to the Senate floor is an entirely different version than the bill approved by the House of Representatives. That is the simple reason, Mr. President, that I am supporting the motion to enact—in H. R. 8308—the moderate, reasonable, and effective bill which came from the House of Representatives.

I believe that the Senate Agriculture Committee has misunderstood the sentiment of the majority of the Senate and has disregarded the desires of the overwhelming majority of the American public.

A TEPID SUBSTITUTE UNACCEPTABLE

What the public wants is decisive action to end, at some definite date, a cruelty that is deeply offensive to our national moral code and for which there is no possible excuse. The Senate, I believe, will want to dispose of this issue, conclusively, as soon as possible.

The many days of extensive hearings have amassed testimony which leaves no doubt as to what the public wants. That testimony overwhelmingly opposes a tepid humane slaughter law which merely instructs the Secretary of Agriculture to study slaughter methods for another 2 years, and then to bring back to us another bill, which could hardly be much different from bills that the Congress has already considered and debated for three whole years. This would be needless delay.

And we would then have to make the decision that we can reach, and should reach, today. It is clearly apparent that the intent and the effect of the bill proposed by the Agriculture Committee is only to postpone action on the issue before us. The proposed study bill is not a humane slaughter bill; it is a device to defeat the humane slaughter bill that has been sent to us by the other House.

It has been contended that more study is needed to determine whether it is practical to ameliorate the sufferings of hundreds of millions of animals. But that contention is sheer nonsense. It is shot full of hypocrisy.

There is one fact that ought to bring this entire debate to a conclusion. It is a fact that overwhelms all arguments.

I refer to the fact that approximately 200 United States packing plants are already using, with satisfaction and profit to themselves, the humane methods of slaughtering that the people of our country want to see universally adopted. Some of these progressive packers have themselves appeared before our congressional committees and freely testified that these humane methods are practical and profitable. And the testimony has come from little packers as well as from big packers.

VITAL FACTS FAVOR HUMANE-SLAUGHTER BILL

I am not relying on the testimony from humane societies or women's clubs when I tell you that humane methods of slaughter are practical. I am relying on testimony given to our committees by official representatives of the American Meat Institute, the Western States Meat Packers Association, the National Independent Meat Packers Association, and also on testimony given by the technical staff of the Department of Agriculture.

There is absolutely no argument about the practicality of humane-slaughter methods. Every bit of documented testimony presented to the Senate Agriculture Committee showed, in fact, that humane methods will tend to benefit farmers and consumers, as well as packers, by eliminating a really sinful waste of meat and by improving operating procedures.

So let us not be confused into thinking, today, that either the packers or the Secretary of Agriculture actually want to study the practicality of humane-slaughter methods.

Let me just review for you what the Department of Agriculture proposes to study.

A spokesman for the Department of Agriculture told the Senate Agriculture Committee during the recent hearing that he would like to have several years to study slaughter methods because, he said, he doesn't know what methods are humane. He will try to learn if an animal might rather have its joints yanked out of place by an electric hoist, and might rather have its throat punctured with a knife while fully conscious, than to be anesthetized by a gas that is often used as an anesthetic on human beings.

The Agriculture Department spokesman invited Congress to give him a chunk of taxpayers' money, and several years of time, to satisfy his doubts about this matter. Does this make good sense?

Can any Senator conscientiously go along with this proposal that we authorize a 2-year research project to determine whether anesthetics really relieve pain?

THOROUGH STUDY ALREADY COMPLETED

There is not time, here and now, to recapitulate the entire history of the effort that is now at its climax—the effort to achieve a simple but enormous moral reform that is long overdue. I remind my colleagues, however, that the Congress itself has conducted much earnest study of the practical problems of this issue. A Senate subcommittee conducted public hearings in 1956. A House subcommittee conducted additional public hearings in 1957. The House committee took its investigation right into the packing plants. Members of the committee made unannounced visits to plants that use both humane and inhumane methods. Some members of the House committee actually slaughtered animals themselves, in order to be sure that they knew the practical facts about the techniques under question. Two months ago the full Agriculture Committee of the Senate conducted still another public hearing.

Over a period of years we have piled up more than 600 pages of printed testimony from the best experts that this Nation can muster. And the House committee, as I said, did a field investigation.

Perhaps some Senators will think that no humane slaughter law should be enacted. But those we so feel should cast their votes forthrightly against what is obviously desired by the American public. It is not fair to saddle the taxpayers with an obviously needless study in order to avoid a clean vote on this issue.

The motion I am supporting will achieve a moderate and reasonable reform. The motion sponsored by the small majority of the Senate Agriculture Committee would simply postpone all chance of reform for at least 2 years and perhaps for much longer.

HUMANE SLAUGHTER A MILESTONE IN MORAL ADVANCE

I sometimes think that, a century or two hence, our descendants, upon hearing of our accepted practices in slaughterhouses, will look back upon the 20th century with the same mingled feelings of dismay, abhorrence, and incredulity which we experience on reading of convivial crowds at a public execution 200 years ago.

If there is any doubt about that, I would suggest that people read the writings, for example, of Theodore Roosevelt and his abhorrence of what was done to the vast buffalo herds numbering some 60 million when they were slaughtered absolutely, indiscriminately, and ruthlessly just for sport in the years when the Great Plains and the prairie were first being settled. Traditionally, the humanitarian measures that have, 1 by 1, become our great body of social legislation have followed the voices of persistent protest which stirred to life our national conscience.

We have taken for granted that the eighth amendment of our Constitution prohibits infliction of cruel and unusual punishment upon our citizens. Today, the national conscience is asking why we subject our animal friends to such cruel and inhumane treatment.

If the farmers of this Nation humanely treat animals while they are alive, throughout the period of their growth, and handle them to avoid injury and fear, why is it necessary to subject these animals to such primitive and cruel treatment for the few moments before they are killed and transformed into meat and meat products?

I have talked with many of the men who work in slaughterhouses, both in my own State and elsewhere in the Nation. These men, so far as I have been able to observe, are among the strong and zealous opponents of some of the inhumane methods presently employed in slaughterhouses. They rebel against inflicting pain upon helpless animals, which form the meat products of the Nation and thus support the jobs on which these men are dependent. But the workers in slaughterhouses are not in control of the policy of those plants. They did not design the cruel front end of the production line. They cannot institute new methods of slaughter, unless their employers so dictate and decide.

I have had members of the Butcher Workers' Union observe to me, "We realize that cruel ways of slaughter will only hurt the meat industry and promote vegetarianism among Americans. We believe that every possible humane method of killing should be used by slaughterhouses, just as soon as it is developed."

I have emphasized this point because it is my firm opinion that the men working in our slaughterhouses are, in the main, among the foremost advocates of adopting every available humane device for cushioning and quelling any possible pain inflicted upon the animals which are slaughtered to stock the tables and markets of America.

We have passed laws to prohibit the inhumane cruelty to animals on their way to market. I can see no reason why the Congress should not specify humane standards of killing livestock and poultry, in order to comply with the moral standards of decency and humaneness which are so much a part of the great heritage of the United States.

With respect to the specifically religious objections to the bill, I can only say that I fully and sympathetically appreciate the legitimate concern with which they are put forward; but upon considering them fully, I do not believe that they are so insurmountable as to force the total abandonment of all legislative effort to establish the principle of governmental responsibility for humane methods of slaughter to which I have referred.

In conclusion, allow me to offer two observations. First, over the past several years research study on this subject has provided demonstrable results on which legislation may be logically and soundly based. Second, the experience of the progressive and energetic minority among the packers, who have introduced to the production line the new techniques required for humane methods of slaughter, demonstrates its applicability in plants of any and all sizes.

One would think that on the grounds of enlightened, humanitarian performance—or on the more practical grounds of economy and efficiency of operation—only support and affirmation would be heard in the plea for adoption of humane slaughter legislation. I favor substituting the stronger House bill in place of the toothless Senate study.

Mr. HUMPHREY. Mr. President, I wish to express my gratitude to the junior Senator from Oregon for his splendid statement and for his fine support and for the privilege of being associated with him as a cosponsor of the proposed legislation.

At this point I ask unanimous consent to have printed in the RECORD, a letter addressed to Representative W. R. POAGE, signed by representatives of Jewish organizations relating to the legislative history of H. R. 8308, as passed by the House.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AMERICAN JEWISH CONGRESS,
New York, N. Y., February 20, 1958.
Hon. W. R. POAGE,
House Office Building,
Washington, D. C.

DEAR CONGRESSMAN POAGE: We are writing to you at this time to express our appreciation for your statements during the debate of H. R. 8308 on February 4, regarding the humaneness of the Jewish religious method of slaughtering animals for human consumption. At the same time, we wish to correct some inaccuracies during the debate and to clarify possible misunderstandings of our position on humane slaughtering legislative measures, particularly with regard to one part of the January 29, 1958 letter from Dr. Leo Pfeffer to you.

We were pleased to read in the letter of January 29, 1958 from Mr. Fred Myers, executive director of the Humane Society of the United States, to you, the statement that in the opinion of the Humane Society "based upon expert testimony already presented to Congress and upon personal observation, that the Jewish method of slaughter, when performed according to the laws of Shechita by a trained and religiously supervised Shochet, results in virtually immediate loss of consciousness by the animal and should be legally recognized as being humane." It was even more gratifying to note your comment in re-

ferring to Shechita that "ritualistic slaughtering is, as I see it, when carried out in compliance with the Mosaic law, one of the most humane methods yet devised" (CONGRESSIONAL RECORD p. 1430). While the humaneness of Shechita has been repeatedly demonstrated through scientific studies conducted by eminent pathologists and other authorities in the fields of veterinary medicine, anatomy and physiology, it is good to know that as a Member of the United States Congress who has made a study of the subject, you have come to the same conclusion and were thoughtful enough to state your view on the floor of the House of Representatives.

In response to a question from Congressman JAMES ROOSEVELT, you said "as far as I know, there is no group except the Union of Orthodox Rabbis that has not agreed to these amendments. I may be wrong, but I know of no other group that is not in favor of these amendments" (CONGRESSIONAL RECORD p. 1431). You will recall that the Rabbinical Council of America and the Union of Orthodox Jewish Congregations of America are opposed to such legislation. Needless to say, the position of these orthodox organizations is not due to a lack of concern about cruelty to animals. Rather, it stems from the apprehension based on the experience in other countries that humane slaughtering legislation no matter how worded may threaten Shechita and may be a forerunner of a movement to ban Shechita.

Referring to the undersigned organizations, Congressman MULTER said during the debate we "are in favor of and support this measure" (CONGRESSIONAL RECORD, p. 1431). This statement is inaccurate. As you correctly stated, we were opposed to H. R. 8308 in the form in which it was originally introduced. As stated in the letter from Dr. Leo Pfeffer to you, dated January 29, 1958, in its present amended form we do not oppose the measure. However, while we do not oppose the measure as amended, we are not proponents of the bill. We are sure you understand and appreciate this distinction.

Inasmuch as H. R. 8308 is still to be considered in the Senate, may we clarify one part of Dr. Pfeffer's letter of January 29 which may be subject to misinterpretation. We have reference to the paragraph which reads:

"We understand further that while the bill as amended would empower the Department of Agriculture to restrict or prohibit shackling or hoisting of conscious animals in connection with slaughtering according to the ritual requirements of the Jewish faith, it does not restrict or prohibit, nor does it authorize the Department of Agriculture to restrict or prohibit the use of the Weinberg or revolving pen, as is used in Great Britain, and that such use of the Weinberg pen is a humane method of preparing the animals for slaughter."

We wish to underscore the correctness of your statement to the effect that "we want to prevent any unnecessary cruelty" (CONGRESSIONAL RECORD, p. 1432). This applies to the preparation of animals for slaughter as well as the act of slaughter itself. We have no desire to protect methods of handling or preparation of animals which may be inhumane. At the same time, we see no need for restricting or banning present methods of handling which may not be inhumane.

To be more specific, while we hold no brief for and oppose such forms of shackling and hoisting which may be inhumane, it was never the intention of the undersigned organizations to imply that shackling and hoisting per se are inhumane, and, therefore, subject to being prohibited in all their forms by the Department of Agriculture. We do not understand this to be the legislative intent of your bill. You will recall that Mr. Fred Myers, in his letter of January 20, advised you that in the amendments since writ-

ten into H. R. 8308 "we have purposely avoided—a detailed description of humane methods of handling animals as they are brought into position for slaughter, in order to allow for future inventions in that field."

In any event, whether it may be existing methods of handling animals preparatory to slaughter, necessary modification of present methods, the revolving pen or methods as yet to be devised; our position precisely stated is that we are opposed to any methods which may be inhumane without necessarily ruling out existing methods which are or which could be modified so as to be humane.

We respectfully request that you insert this letter into the CONGRESSIONAL RECORD so that all who are interested may know exactly where we stand in the matter of humane slaughtering legislative proposals and how much we appreciate your efforts in behalf of religious liberty by your support of the Jewish religious method of slaughtering animals for food.

Once again, please accept our deep thanks for your cooperation and consideration.

Sincerely,

ISAAC TOUBIN,
Executive Director, American Jewish Congress.

Rabbi DAVID C. KOGEN,
Acting Executive Director, Rabbinical Assembly of America.

Rabbi SIDNEY REGNER,
Executive Vice President, Central Conference of American Rabbis.

Rabbi JAY KAUFMAN,
Vice President, Union of American Hebrew Congregations.

Rabbi BERNARD SEGAL,
Executive Director, United Synagogue of America.

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the RECORD a letter which I received from Mayor Wagner, of New York City, under date of June 26, 1958, in support of H. R. 8308, as passed by the House.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

CITY OF NEW YORK,
OFFICE OF THE MAYOR,
New York, N. Y., June 26, 1958.
Hon. HUBERT HUMPHREY,
United States Senate,
Senate Office Building,
Washington, D. C.

DEAR SENATOR HUMPHREY: I have had brought to my attention a proposal now pending before the Committee on Agriculture and Forestry of the United States Senate to require the use of humane methods in the slaughter of livestock and poultry in interstate or foreign commerce.

May I express to you and through you to the entire Senate, my support of legislation which will mandate humane methods of slaughter in the United States of America. I know that any legislation passed by the United States Senate will contain within it every possible protection which any religious faith in our great country may deem necessary.

With kindest personal regards.

Sincerely yours,

ROBERT F. WAGNER, Mayor.

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the RECORD at this point an editorial entitled "For More Humane Slaughter Methods," published in the Montana Standard of June 9, 1958, endorsing the bill passed by the House and which is now being supported by me and other Senators.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

FOR MORE HUMANE SLAUGHTER METHODS

More than half a century ago, the novelist Upton Sinclair wrote a potent book called *The Jungle*. He portrayed so vividly the conditions in the meatpacking industry that a Government commission was named to investigate. The upshot of it all was that on June 30, 1906, President Theodore Roosevelt signed the Meat Inspection Act, which brought tremendous reform.

Since that time, partly under Government prodding and partly through what might be called enlightened self-interest, the meatpacking industry has remarkably improved its techniques. The great bulk of the meat and meat products served on American tables is fresh, sanitary and wholesome.

Yet though the situation today bears almost no resemblance to that which prompted Upton Sinclair's book decades ago, it must be said that the industry has lagged in one important respect. With some exceptions, methods of slaughter are not much more humane than they were years ago.

The public apparently has become more aware of this in 1958 than in any previous year. In consequence, legislation to improve slaughter methods may squeeze through to passage by Congress this year. It would be fitting if the bill were to become law by June 30, the 52d anniversary of the celebrated Meat Inspection Act.

Mr. HUMPHREY. Mr. President, earlier today statements were made that the methods of humane slaughter spelled out in the bill were not sufficiently comprehensive. I have before me a statement made by Mr. Rutherford T. Phillips, executive director of the American Humane Association, before the Committee on Agriculture and Forestry, refuting very clearly the arguments which were made in opposition to H. R. 8308, particularly with respect to methods of slaughter. I ask unanimous consent that the statement be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF RUTHERFORD T. PHILLIPS, EXECUTIVE DIRECTOR OF THE AMERICAN HUMANE ASSOCIATION, TO THE SENATE COMMITTEE ON AGRICULTURE AND FORESTRY

I am Rutherford T. Phillips, executive director of the American Humane Association, and I testified in support of S. 1497 and H. R. 8308 on April 28, 1958. I do not wish to repeat what I said then. However, in view of some of the testimony of the opponents of these bills, I would like to make the following observations:

1. It has been repeatedly stated that there is confusion about what is a humane method.

The bills, S. 1497 and H. R. 8308, state that the following are found to be humane: a single blow; a gunshot; an electrical, chemical or other means that is rapid and effective; severing of the carotid arteries simultaneously with a sharp instrument (sec. 2 (a) and (b)).

It further states under section 4 (b) that the Secretary of Agriculture is authorized to designate methods which conform to the policy of humane slaughtering at the effective date and thereafter at such times as he deems advisable.

This is certainly a fair way of spelling out the kinds of methods of producing insensibility without closing the door on improvements and new developments.

It is not to be supposed that the Secretary will be so strict as to require the impossible result of stunning a thousand animals with exactly a thousand blows. Room will be left for human error. Good faith

compliance with the policy is all that anyone could require.

The American Humane Association and packers know which existing methods are acceptable because some packers have applied for, and received AHA seals of approval. We also have the experience of the methods used in Europe. It is unwise to spell out specific methods in the law. This is appropriately left to the Secretary of Agriculture who will administer the law with the assistance of the advisory committee established by section 5.

2. Another industry objection which has been emphasized is the cost of the CO₂ immobilizer.

This equipment is particularly designed to maintain the higher rate of kill in large plants.

The statement of Mr. Liljenquist and Mr. Unwin that this is far beyond the financial reach of the small packer, is not a valid objection to the bill. Hogs may be humanely slaughtered by the use of the captive bolt pistol. This would have no appreciable effect on costs of operation in the small plant having a low rate of kill. Mr. Eshbaugh, on page 2 of his prepared statement, remarks that the Remington Stunner "is now in regular use on lambs and hogs in one plant." Mr. Eshbaugh goes on to say, on page 6, with respect to calves, lambs, and hogs, "It is believed that if regularly supplied with animals, one stunning operator can handle up to 200 animals per hour through present pens capable of handling that number without stunning. Any considerable increase above that figure would require changes in layout to include conveyor handling of live animals to the stunning position."

3. The AHA is surprised at the opposition testimony given on Tuesday by representatives of the Jewish faith. The original text of the humane slaughter bill submitted to Senator HUMPHREY by the AHA in 1955 contained a full exemption for Kosher slaughter. The present bill, in section 6 spells out that exemption to completely exempt both the preparation for, and the actual slaughter. Actually in view of section 6, section 2 (b) is not needed, but it was placed in the bill at the suggestion of some representatives of the Jewish faith to make it absolutely clear that there was not any implication to be drawn from an exemption that the Congress felt that Kosher slaughtering was inhumane. It is obvious, therefore, that this bill will not affect Kosher slaughtering in any way. We feel that much of the testimony heard on this point was irrelevant to a consideration of this bill.

Furthermore, it is doubtful that this bill would have any appreciable effect on Kosher slaughtering as it applies only to Government procurement. We understand that a negligible amount of Kosher meat products are purchased by the Government, if any. Certainly the bill will not prohibit shechita in any part of the United States.

We sympathize with the concern of those who testified, but an analysis of this bill shows that their fears are completely groundless.

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a letter which I sent to Mr. Leo Pfeffer, associate general counsel of the American Jewish Congress, under date of March 22, 1958, and an exchange of letters between myself and Representative W. R. POAGE concerning the Pfeffer letter, which are complementary and supplementary to the letter I asked to have printed in the RECORD earlier.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

MARCH 22, 1958

LEO PFEFFER, Esq.,
Associated General Counsel,
American Jewish Congress,
New York, N. Y.

DEAR MR. PFEFFER: I am writing to express my own personal gratitude to you and to the five leading Jewish organizations cooperating with you on the above matter for the splendid way in which you have assisted me, and members of the House of Representatives, in working out a solution of the delicate problem of humane slaughter legislation that fully and effectively protects Jewish religious slaughtering practices. I think you have all done a magnificent job in assisting us to draft legislation that would, beyond question, protect Jewish religious slaughtering practices and would at the same time insure the humane treatment of animals on which those practices are based in the slaughter of animals for food by other methods of slaughter as well.

I realize that the task has been far from an easy one and that it is virtually impossible to expect unanimity on the part of the Jewish community in so sensitive a matter. I do want to record, however, my own conviction that the amendments to the Poage bill which you were able to work out with the humane societies, and which were accepted by the House Committee and enacted by the House, fully protect Jewish religious slaughtering and handling of animals (1) by the express congressional recognition of kosher slaughter as humane and (2) by the provision of the new section VI prohibiting any construction of the legislation which might in any way interfere with religious slaughter or preparation for slaughter.

It is my considered judgment that those groups in the Jewish community who contend that possible future legislative attempts to impinge upon Jewish religious slaughter practices would be less likely to succeed if there were no humane slaughter legislation at all than if the bill which has been passed by the House is enacted are, with all due respect, in error. It seems to me not only obvious but beyond dispute that it will be far more difficult for any future Congress to attempt to interfere with kosher slaughter practices in the face of the express congressional finding and recognition of kosher slaughter as humane contained in the amended Poage bill and in the legislative history written on it than it would be if there were no such express legislative recognition and history. And if it had not been for your efforts and those of your colleagues, I am wholly convinced that humane slaughter legislation would have been passed over the opposition of the Jewish community and would not have contained the effective safeguards of kosher slaughter practices that your efforts have succeeded in writing into the Poage bill.

I also want to acknowledge the copy I have received of the February 20, 1958, letter of your five organizations to Chairman Poage of the House Committee, and to record to you my own understanding of the meaning and intent of the Poage bill as enacted by the House with respect to handling of animals prior to kosher slaughter, in light of its legislative history in the House debate, including your letter of January 29, 1958, to Mr. Poage, which he introduced into the RECORD in the debate, and his ensuing remarks agreeing with your views as expressed therein.

To be specific, I feel there is no doubt whatever that the clear and correct interpretation of the bill in this respect, as clarified on the floor of the House, is (1) that animals must be handled in a humane manner prior to kosher slaughter; (2) that any inhumane method of handling animals prior to kosher slaughter may be restricted or prohibited by the Secretary of Agriculture effective on and after December 31, 1959, including those

forms of shackling and hoisting which are not humane; (3) that any forms of shackling or hoisting of animals or other methods of handling prior to kosher slaughter which are not inhumane may not be restricted or prohibited by the Secretary; and (4) that use of the Weinberg or revolving pen for casting animals prior to kosher slaughter is a humane method of handling and may not be restricted or prohibited by the Secretary as inhumane.

Such an interpretation of the bill, as to which I feel there is no question and which I shall be glad to record on the Senate side, both in committee and on the floor, should fully satisfy your organizations and any others in the Jewish community who fear that enactment of the Poage bill by the Congress would as a practical matter immediately make kosher slaughter impossible. That is plainly neither its intent nor its language. I am confident that Congressman Poage agrees completely with this interpretation. I assure you that I shall do everything in my power to have the legislative history of the bill in the Senate record this legislative intent so there will be no doubt about the correct meaning of the legislation.

I trust that this explanation will allay some of the fears in this regard which have been expressed to me and will further reassure your organizations and the entire Jewish community that the amended Poage bill, if enacted into law, will preserve and protect kosher slaughter practices, and not harm them. Again with my gratitude for your help and your contributions to a sound solution of a most difficult and vexing problem.

Sincerely yours,

HUBERT H. HUMPHREY.

MARCH 22, 1958.

Hon. W. R. POAGE,
House of Representatives,
Washington, D. C.

DEAR CONGRESSMAN POAGE: As you know, there has been considerable concern expressed in the Jewish community subsequent to the House debate on humane slaughter. Several people have been in to see me, voicing various fears which I have assured them were exaggerated. After considerable thought, it seems to me that the most helpful thing I can do here is to send the attached letter in an effort to rectify any misinterpretation which some groups may have of the bill which was passed by the House. I have tried to express what I believed to be the correct intention and interpretation of the House bill.

I have not mailed the original of this letter, because I wanted you to see it first. I am hopeful that you will agree that it correctly expresses your position and the House intent. After you have had a chance to look this over, perhaps you might give me your reaction over the phone.

Many thanks for your attention, and congratulations on the successful job you did in handling this bill.

Best wishes.

Sincerely yours,

HUBERT H. HUMPHREY.

MARCH 25, 1958.

Hon. HUBERT H. HUMPHREY,
United States Senator,
Washington, D. C.

DEAR SENATOR HUMPHREY: Your letter of March 22 to Hon. Leo Pfeffer was, in my opinion, a very fine, very clear, and very excellent statement of the effect of the pending legislation on humane slaughter. I would not want to change the interpretation which you placed on this bill. I have met with, and talked with, Mr. Pfeffer on several occasions. I think he has made a very serious and very helpful effort to allay some of the fears of some segments of the Jewish community in regard to this legislation. It

seems to me that your letter to him should satisfy all of those who can be satisfied.

I was particularly impressed with the clear and effective way in which you pointed out that in the absence of legislation of the type you and I are trying to get that it will probably be far more likely that the Congress will pass some type of punitive legislation completely ignoring the legitimate requests of our Jewish citizens. I think this would be unfortunate, but I think it is likewise inevitable. On the other hand, by the acceptance of the Jewish leaders of the very moderate legislation that we are proposing this ill feeling can be avoided. Mr. Pfeffer continues to do everything he can to avoid any such unfortunate result. I am hopeful that you will find it possible to secure favorable committee and Senate action on this measure in the near future.

Thanking you for your good work, and with best wishes, I am,

Yours sincerely,

W. R. POAGE,
Congressman.

Mr. HUMPHREY. Mr. President, finally I ask unanimous consent to have printed in the RECORD a number of editorials in support of H. R. 8308, and objecting to the Senate amendment.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Nashville (Tenn.) Tennessean of June 26, 1958]

THERE WAS PLENTY OF DATA, SENATOR

Efforts to get humane slaughter legislation enacted have taken a strange turn in a Senate committee.

One measure, passed overwhelmingly in the House last February, provides that after January 1, 1960, humane methods must be used by packers who make contracts with the Federal Government. Such methods would include instant stunning of animals with a mechanical instrument or anesthetization with carbon dioxide.

Both methods have been used on millions of animals by packers who are voluntarily humane, but more millions are either hammered into insensibility or stuck with knives and let bleed.

A great deal has been written about humane slaughter and there are a number of examples of packers who use more humane methods successfully. House discussion brought out much information about humane methods.

So it is strange that the Senate Agriculture and Forestry Committee approved an amended bill to require the Secretary of Agriculture to draft legislation setting forth what constitutes humane slaughtering. Chairman ALLEN ELLENDER (Democrat, of Louisiana) said there was insufficient information available to write regulations.

That must have come as a surprise to myriad humane societies, women's clubs, church and farm groups which support humane slaughter methods. All would have been pleased to make available to Mr. ELLENDER reams and reams of information, including the successful methods used by voluntarily humane packers.

It is hoped the committee will reconsider its action and vote out a bill similar to that passed by the House.

[From the Charlotte (N. C.) News of June 25, 1958]

AS SUBTLE AS A BLOW ON THE HEAD

To put it bluntly, the humane slaughter bill was bludgeoned in the Senate Agriculture Committee last week with the kind of vehemence the meatpackers usually reserve for dumb animals.

Rather than approve legislation similar to the Poage bill passed by the House of

Representatives, committee members voted for a 2-year "study" of painless slaughtering methods.

Both the American Meat Institute and the Department of Agriculture were lobbying vigorously for "study" legislation. It is a familiar dodge. Similar delaying tactics have sentenced great bundles of worthy legislation to a lingering death in the past.

The bill is expected to reach the Senate floor in July. Its amendment, to return to it the effective language of Representative POAGE's bill, would mark the beginning of the end of slaughterhouse cruelties to animals in the United States.

There is no need for any additional study of humane slaughtering methods. They have already been studied in enormous detail and perfected with great care by United States universities. Painless killing methods are in use and, in fact, required by law in civilized European countries. A few United States packers find these methods both economical and efficient.

It is plainly absurd to postpone action in the United States merely to confirm the proposition that cruelty is cruel.

All that proponents of humane slaughter legislation want is a system in which the animal is rendered quietly unconscious before it is killed. It is a reasonable enough goal in a civilized society.

[From the New York Herald Tribune of July 9, 1958]

THE SENATE MUST SAVE HUMANE SLAUGHTER

Animals can feel pain as keenly as human beings and are equally prey to fear and terror. But they can't speak or vote, and therefore have no influence in Congress. Which is about the only available explanation why the Humane Slaughter bill, after passing the House, has been put on ice by the Senate Agriculture Committee on the flimsy pretext that it requires further study of slaughtering procedures.

Further study. For 30 years, this has been the excuse advanced for delay by some of the big meatpackers. The House Agriculture Committee made a personal tour of the slaughter houses and was immediately convinced that changes were necessary. The Senators, however, stayed in Washington, refusing even to see a film depicting the slaughtering of hogs.

Just what do the advocates of humane slaughter want? All they want is the introduction of methods to render animals insensible to pain before they are butchered, either by electric stunning or by carbon dioxide gas. The objection from packing houses seems to be that these methods would be too expensive. But one firm that has adopted them, Hormel & Co., says that they are saving it money. So it would appear that humane slaughtering is to the advantage of the meatpacker, quite apart from considerations of common decency.

Fortunately, supporters of humane slaughter are determined not to let the issue die. They have worked hard for their objective, especially in the last 2 years. We earnestly hope that the full Senate will do something to save this bill as a working measure before Congress adjourns.

[From the Charleston (S. C.) News & Courier of June 28, 1958]

PAINLESS SLAUGHTER

The humane-slaughter bill was given a mercy death in the Senate Agriculture Committee last week. The committee declined to approve legislation designed to bring an end to slaughterhouse cruelty to animals. The members voted for a 2-year study of painless-slaughtering methods.

Maybe the committee believes that the people of this country are the dumb animals. The subject of humane-slaughtering laws has been discussed for years. Either the United

States does or doesn't need such laws. A congressional study of this problem is a waste of the taxpayers' money. One of the most effective painless ways of killing legislation in Congress is to study it to death.

[From the Youngstown (Ohio) Vindicator of June 24, 1958]

END PACKINGHOUSE CRUELTY

Because comparatively few Americans know about the inhumane methods used in slaughtering the animals which eventually supply their tables with meat, they have failed to give sufficient support to legislation now before Congress to eliminate unnecessary cruelty in the packinghouses.

Last week two House measures were defeated in a Senate committee which reported out a study bill, instead. The legislation sought by adherents of humane slaughtering would have established this as the country's public policy, requiring that the Federal Government and its agencies buy meat only from packing plants using humane methods.

The study bill is obviously a delaying measure, asked by the American Meat Institute and the Department of Agriculture. It proposes that the Secretary of Agriculture study slaughtering methods for 2 years.

There is no need for this. The carbon dioxide tunnel and a number of types of pistols for making animals insensible to pain have been fully developed and have been used by some leading packers during the last few years.

The humane organizations charge that the meat industry's efforts to kill an effective humane-slaughter law are strikingly similar to the industry's opposition to the Meat Inspection Act early in the century.

There is no point in continuing slaughterhouse cruelty any longer. There is no real economic reason for it. The study bill is scheduled to reach the Senate floor next month. Advocates of humane methods should demand its defeat and restoration of the compulsory humane-slaughter bill.

[From the Washington Daily News of July 3, 1958]

A MERCILESS STALL

If a member of the Senate Agriculture Committee should look out his window today and see a small boy tormenting a cat we'll bet he'd spring into action.

But, oddly, the committee as a whole seems calm when it is called to their attention that grownup boys kill steers, lambs, and pigs in painful, bloody, and needless brutality.

The House passed a much needed humane slaughter bill months ago.

The Senate committee has now tried to slit the bill's throat—but substituting one which calls for a pointless 2-year study of packing methods. Hasn't this condition been studied enough?

This proposal to study for 2 more years is a merciless stall. The brutality is proven. The economic practicality of humane methods has been demonstrated by such progressive packers as Cudahy, Hormel, and Oscar Mayer & Co., all of whom use efficient and painless slaughtering techniques.

It serves not the American public—which has supported the humane bill by a cascade of letters—but the selfish interests of the American Meat Institute and the Institute's pals in the Department of Agriculture, the champions of indifference and inertia.

It might be worthwhile for the committee members to take a tax-paid tour of the worst slaughterhouses and then think the whole thing over, or, better still, take a trip (that is, junket) to the many countries where the situation that exists here has been outlawed for many years.

The rest of the Senate, we trust, won't need such a bloodshot view to reject this stall and

to insist that the House bill be brought up and passed.

[From the Toledo Blade of June 30, 1958]

STALL ON HUMANE SLAUGHTER

The Senate Agriculture Committee has reported out a bill directing the Secretary of Agriculture to study methods of slaughtering meat animals and come up within a couple of years with legislation that would set forth what would constitute a humane system of slaughter in American packinghouses. The committee contends that there isn't enough information available to legislate now on the subject.

We are not impressed with this action or the reason for it. For years the humane slaughter issue has been thoroughly debated and a wealth of information is available. Unnecessarily brutal and clumsy slaughter practices have been documented. So has the successful use by packers abroad, and some in this country, of more effective, relatively painless modern killing methods. To say now that further study appears necessary is simply a way of postponing action on a reform that the humane societies have demonstrated is needed and feasible and which, we think, has the support of the public behind it.

The House of Representatives in February passed a bill which would compel packers who sell meat to the Federal Government to kill animals by humane methods. This does not go the full length that the humane societies would like but they approve it as a long step in the right direction. The Senate would do well to override its Agriculture Committee and enact the law as approved by the House.

[From the Boston Herald of July 12, 1958]

NO TIME FOR PAIN

Every day in which the Senate dallies with the humane slaughter bill is one more day in which animals die cruelly and in pain. But after passing the House by an overwhelming margin in February, the bill has been sidetracked, supposedly because the Senate Agriculture Committee needs time to study slaughter procedures.

The committee required time in 1956, too, when the bill met an identical end. A House committee then toured slaughterhouses observing the methods that prevailed. The tour was a horrifying revelation of man's indifference to the fate of other species.

The House committee sponsored a bill requiring the employment of humane methods by packers wishing to contract with the Government. It was passed by voice vote.

But in the Senate Agriculture Committee, which did no slaughterhouse inspection, the Senators refused even to see a sound film graphically depicting routine pig slaughter as practiced on more than 80 million pigs a year. Instead, by a vote of 10 to 5, they passed a "study" bill.

This means that the Senators, who were too squeamish to watch hogs being massacred on a screen, could with serenity and good conscience condemn millions of animals to a ghastly fate. But the bill had this feature as amended: The Senators didn't have to see the animals die.

Perhaps it is easier and more pleasant not to have the hideous facts of life paraded before one. The Senators do not have to see the wildly rolling eyes of shackled animals, the welter of bloody trails, the stagger of half-stunned cattle closing with the knife. Nor do they have to listen to the screams and bellows of animals in agony. Life, in fact, can continue on its cheerful round.

The firm of Hormel & Co., which has adapted humane butchering methods, reports that swift and efficient techniques have proved economical. No packer will go bankrupt because humane slaughtering methods prevail. But at least 10 Senators are con-

vinced that all's right with the world and business is business.

[From the Boston Herald of February 7, 1958]

ENDING A CRUELTY

The cruelty of shackling, holsting, sticking, and bleeding of fully conscious animals is contrary to the moral code of our country. While slaughterhouses have been improved architecturally, handling methods have been modernized and meat-inspection services have been streamlined, the method of the kill has remained virtually primitive in America.

The new humane slaughter bill passed by the House and sent to the United States Senate should, however, mark the beginning of the end of barbaric slaughterhouse practices. This bill, which is long overdue, provides that after 1959 the Government will purchase meat only from packers who use humane methods in all of their plants. The bill states as national policy that livestock must first be rendered insensible to pain before being killed.

Introduced by Congressman W. R. POAGE, who has studied the problems of humane slaughter at firsthand, the legislation is probably not as strong as most humane societies would desire. But its moderation acts as a sensible reason for approval, and indeed may prove to be more effective in the long run.

It provides an incentive for humane slaughter rather than a compulsory law, which some slaughterhouses might try to evade. Over 75 percent of the animals slaughtered in the United States are killed by packers with Government contracts. It is not likely that any firm would want to lose this business. Moreover, the possibility of economic hardship on smaller firms, which caused many Congressmen to initially hesitate, is now eliminated.

Humane slaughter methods, in use in Europe for over a quarter of a century now, have proved eminently economical and efficient. The Remington humane-stunner, the captive-bolt pistol, the Hormel carbon dioxide tunnel, and other cheap and functional methods of anesthetizing animals are completely feasible, and should have been adopted long ago.

Let's hope the Senate approves the bill and allows the Secretary of Agriculture to invoke these methods which are clean, swift, and the mark of a truly civilized society.

Mr. HUMPHREY. Mr. President, I suggest the absence of a quorum. This will be a live quorum, I may say.

The PRESIDING OFFICER. The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Ellender	Lausche
Allott	Ervin	Long
Anderson	Flanders	Magnuson
Barrett	Fulbright	Malone
Beall	Goldwater	Mansfield
Bennett	Green	Martin, Iowa
Bible	Hayden	Martin, Pa.
Bricker	Hennings	McNamara
Bridges	Hickenlooper	Morse
Bush	Hill	Morton
Butler	Hruska	Mundt
Byrd	Humphrey	Murray
Capehart	Ives	Neuberger
Carlson	Jackson	O'Mahoney
Carroll	Javits	Pastore
Case, N. J.	Jenner	Potter
Chavez	Johnson, Tex.	Proxmire
Church	Johnston, S. C.	Purtell
Cooper	Jordan	Revercomb
Cotton	Kefauver	Robertson
Curtis	Kennedy	Russell
Dirksen	Kerr	Saltonstall
Douglas	Knowland	Schoeppel
Dworschak	Kuchel	Smathers
Eastland	Langer	Smith, Maine

Smith, N. J.
Sparkman
Stennis

Symington
Thurmond
Thye

Wiley
Williams
Young

Mr. MANSFIELD. I announce that the Senator from Pennsylvania [Mr. CLARK], the Senator from Tennessee [Mr. GORE], the Senator from Florida [Mr. HOLLAND], the Senator from Georgia [Mr. TALMADGE], and the Senator from Texas [Mr. YARBOROUGH] are absent on official business.

The Senator from Delaware [Mr. FREAR] and the Senator from Oklahoma [Mr. MONRONEY] are absent on official business attending the 49th Congress of the Interparliamentary Union as delegates at Rio de Janeiro, Brazil.

The Senator from Arkansas [Mr. McCLELLAN] is absent because of a death in his family.

Mr. DIRKSEN. I announce that the Senator from South Dakota [Mr. CASE] and the Senator from West Virginia [Mr. HOBLITZELL] are absent because of official business having been appointed by the Vice President to attend the 49th Congress of the Interparliamentary Union in Rio de Janeiro.

The Senator from Maine [Mr. PAYNE] is necessarily absent.

The Senator from Utah [Mr. WATKINS] is detained on official business.

The PRESIDING OFFICER (Mr. McNAMARA in the chair). A quorum is present.

The question is on agreeing to the committee amendment in the nature of a substitute, which is open to amendment.

Mr. ELLENDER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Louisiana will state it.

Mr. ELLENDER. As I understand, the pending question is on agreeing to the committee amendment, which would strike from House bill 8308 all after the enacting clause. Is that correct?

The PRESIDING OFFICER. That is correct.

Mr. ELLENDER. I further understand that a vote "yea" will be to sustain the position of the Senate Committee on Agriculture and Forestry.

The PRESIDING OFFICER. That is correct.

Mr. HUMPHREY. Mr. President, the situation has become somewhat clouded because of an exchange of letters between constituents and Members of the Senate, to the effect that a humane slaughter bill which will be effective and will contain mandatory provisions is called the Humphrey amendment. But the situation is that the Humphrey amendment is the language of House bill 8308 as passed by the House of Representatives, although that language would be stricken out if the Senate committee amendment were agreed to.

Therefore, Senators who wish to support a humane slaughtering measure which provides for rules and regulations to be established by the Secretary of Agriculture will support House bill 8308, as it was passed by the House of Representatives, and thus will vote "nay" on the pending question, which is on agreeing to the amendment reported by the Senate committee.

Senators who favor the making of a 2-year study of slaughtering practices will vote "yea" on the question of agreeing to the committee amendment.

It is my intention to vote "nay."

Mr. CASE of New Jersey. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from New Jersey will state it.

Mr. CASE of New Jersey. If the pending committee amendment is rejected, then House bill 8308, as passed by the House of Representatives—or, in other words, the so-called Humphrey amendment—will still be subject to amendment, will it not?

The PRESIDING OFFICER. That is correct.

The question is on agreeing to the committee amendment in the nature of a substitute, which is open to amendment.

All in favor of the committee amendment will signify by saying "aye."

Mr. ELLENDER. Mr. President, on this question I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

The yeas and nays were ordered.

The PRESIDING OFFICER. The yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas (when his name was called). On this vote I have a pair with the senior Senator from Florida [Mr. HOLLAND], who is a member of the Committee on Agriculture and Forestry. If the senior Senator from Florida were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I withhold my vote.

The rollcall was resumed and concluded.

Mr. MANSFIELD. I announce that the Senator from Pennsylvania [Mr. CLARK], the Senator from Tennessee [Mr. GORE], the Senator from Florida [Mr. HOLLAND], the Senator from Georgia [Mr. TALMADGE], and the Senator from Texas [Mr. YARBOROUGH] are absent on official business.

The Senator from Delaware [Mr. FREAR] and the Senator from Oklahoma [Mr. MONRONEY] are absent by leave of the Senate attending the 49th Congress of Interparliamentary Union at Rio de Janeiro, Brazil.

The Senator from Arkansas [Mr. McCLELLAN] is absent because of a death in his family.

On this vote, the Senator from Pennsylvania [Mr. CLARK] is paired with the Senator from Georgia [Mr. TALMADGE]. If present and voting, the Senator from Pennsylvania would vote "nay" and the Senator from Georgia would vote "yea."

Mr. DIRKSEN. I announce that the Senator from South Dakota [Mr. CASE] and the Senator from West Virginia [Mr. HOBLITZELL] are absent because of official business having been appointed by the Vice President to attend the 49th Congress of the Interparliamentary Union in Rio de Janeiro.

The Senator from Maine [Mr. PAYNE] is necessarily absent.

The Senator from Utah [Mr. WATKINS] is detained on official business.

If present and voting, the Senator from Maine [Mr. PAYNE] and the Senator from Utah [Mr. WATKINS] would each vote "nay."

The result was announced—yeas 40, nays 43, as follows:

YEAS—40

Allott	Goldwater	Martin, Pa.
Barrett	Hayden	Morton
Beall	Hickenlooper	Mundt
Bennett	Hruska	O'Mahoney
Bricker	Ives	Russell
Bridges	Javits	Schoeppel
Butler	Jenner	Smathers
Capehart	Johnston, S. C.	Stennis
Curtis	Jordan	Thurmond
Dirksen	Knowland	Thye
Dworshak	Langer	Wiley
Eastland	Lausche	Young
Ellender	Malone	
Ervin	Martin, Iowa	

NAYS—43

Aiken	Green	Neuberger
Anderson	Hennings	Pastore
Bible	Hill	Potter
Bush	Humphrey	Proxmire
Byrd	Jackson	Purtell
Carlson	Kefauver	Revercomb
Carroll	Kennedy	Robertson
Case, N. J.	Kerr	Saltonstall
Chavez	Kuchel	Smith, Maine
Church	Long	Smith, N. J.
Cooper	Magnuson	Sparkman
Cotton	Mansfield	Symington
Douglas	McNamara	Williams
Flanders	Morse	
Fulbright	Murray	

NOT VOTING—13

Case, S. Dak.	Holland	Talmadge
Clark	Johnson, Tex.	Watkins
Frear	McClellan	Yarborough
Gore	Monroney	
Hoblitzell	Payne	

So the committee amendment was rejected.

Mr. NEUBERGER. Mr. President, I move to reconsider the vote by which the committee amendment was rejected.

Mr. HUMPHREY. Mr. President, I move to lay that motion on the table.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Minnesota to lay on the table the motion of the Senator from Oregon to reconsider.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. HUMPHREY. Mr. President, the language now in the bill is the House language, and there are required certain technical amendments, relating to dates which need to be changed. The House passed the bill at a date considerably earlier than this.

The PRESIDING OFFICER. It is necessary for the Senate to be in order before we can proceed. The Senate will be in order.

The Senator from Minnesota may proceed.

Mr. HUMPHREY. Mr. President, in the bill there are certain dates which need to be adjusted because the time the House acted was considerably earlier than the action being taken now on the part of the Senate. I shall send to the desk an amendment to make certain corrections, but I should like to explain that the bill as it was passed by the House required the Secretary of Agriculture on or before June 30, 1958 to

promulgate the necessary rules and regulations to carry out the purposes of the act. It is now, of course, late in July, 1958. Therefore, such a directive must be changed. I am suggesting that the date be moved up to March 1, 1959. This was the suggestion made by some of my colleagues who felt that the Secretary should have adequate time in which to make whatever rules and regulations are desirable.

Second, Mr. President, the effective date of the legislation, insofar as the packers are concerned, with respect to complying with the requirements in the bill as passed by the House, was December 31, 1959. While it might be possible for that to be done, I do not think it would be quite fair in terms of the time period between the date the Secretary sets the regulations and the date the packers must comply. Therefore, I am suggesting that the date be extended to June 30, 1960. This would mean there would be about a year and a half in which the packers would be given the opportunity to adjust their facilities. During the same period of time the study which was proposed by the Senate committee can likewise be undertaken.

I believe we can thus meet the requirements of the mandatory provision as well as the requirements of the study program.

Mr. President, I offer the necessary clarifying and technical amendments, and ask that they be considered en bloc.

The PRESIDING OFFICER. The amendments will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 2, line 24, it is proposed to strike out "December 31, 1959" and insert "June 30, 1960."

On page 3, line 17, strike out "December 31, 1959" and insert "June 30, 1960."

On page 4, line 8, strike out "June 30, 1958" and insert "March 1, 1959."

On page 4, line 16, strike out "July 1, 1959" and insert "March 1, 1959."

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. JOHNSON of Texas. Mr. President, in order that all Senators may be on notice, I should like to have the yeas and nays on final passage ordered now. Then Senators will be informed there will be a yeas and nays vote.

The PRESIDING OFFICER. The yeas and nays have been requested on the passage of the bill. Is there a sufficient second?

The yeas and nays were ordered.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Minnesota that the amendments proposed by him be considered en bloc? The Chair hears none, and the amendments will be considered en bloc.

The question is on agreeing en bloc to the amendments offered by the Senator from Minnesota [Mr. HUMPHREY].

The amendments were agreed to.

Mr. JAVITS. Mr. President, I offer an amendment, which I ask to have stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The LEGISLATIVE CLERK. On page 4, line 23, after the period, it is proposed to insert:

Handling in connection with such slaughtering which necessarily accompanies the method of slaughter described in subsection (b) of this section shall be deemed to comply with the public policy specified by this section.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New York.

Mr. JAVITS obtained the floor.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. HUMPHREY. With respect to section 6 of the bill, it is my understanding that in the view of some of our colleagues section 6 does not completely cover what is desired. The language of section 6 reads in part as follows:

To slaughter and prepare for the slaughter of livestock.

The protection would apply to both. It is my view and opinion that the language is adequate. I recognize there is a difference of opinion. There was a difference of opinion expressed in the other body.

I have no objection to the amendment offered by the Senator from New York. It seems to me the amendment will offer an opportunity, in conference, to clarify this point beyond the shadow of a doubt.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. JOHNSON of Texas. Will the Senator explain for the information of the Senate the purpose of the amendment and what it would do?

Mr. JAVITS. I was going to suggest that normally one would sit down after such a pleasant reception, but in this case I do not feel I have any business in so doing. This is a matter of deep feelings of many people, as those who listened to the debate have heard.

Insofar as one can, under the existing parliamentary situation, I am trying to go some distance toward allaying the fears of those who may entertain fears. I hope the Senate will understand the fundamental situation.

First, my amendment proposes that not only slaughtering but also handling should be encompassed within the exemption. That was not by any means clear, and it is not clear as a matter of religious law that handling is regulated by the Jewish practice of shehitah, as is slaughtering. Nevertheless, one is so intimately connected with the other that I do not believe the legislative intent, which I think is clear both in this body and in the other body, would be fully realized unless the exemption were complete. I feel this is the fundamental intention of the Senate and of the other body. Hence, I am trying to articulate in words a complete exemption, in terms of those who will not eat meat unless it is slaughtered by ritualistic practices, in order to protect the practice rather than to concentrate strictly upon the letter of

the rabbinical law which might be involved.

As I say, I think that is the fundamental disposition of the Senate.

As to the essential question involved, let us all understand the Jewish practice with respect to slaughtering.

Mr. CASE of New Jersey. Mr. President, may we have order in the Chamber?

The PRESIDING OFFICER. The Senator will suspend until there is order in the Chamber.

The Senator from New York may proceed.

Mr. JAVITS. Mr. President, the practice in respect of slaughtering which is called shehitah has had for centuries the sanction of Jewish law which was premised upon humaneness. Few Members were present in the Chamber, unfortunately, when I explained the matter in great detail earlier. Suffice it to say, as early as the time of Moses, the Bible reports that Moses had his first altercation with the Egyptians of his time because of their cruelty to domestic animals, and that one of the reasons the Lord loved Moses, according to the Old Testament, was his kindness to animals. So the practice came down in terms of law with respect to a method of slaughter, long before such a thing was thought of by other peoples. It was a method of slaughter which was humane, surrounded with careful preparation of the knife and a perfectly amazing understanding of anatomy, in terms of the days in which this practice came about. The procedure, as well as anybody could devise, was quickly and without pain to kill the animal to be slaughtered. The men who practiced this art were either so trained as to be qualified as rabbis, or were actually rabbis. A very careful check was made upon the duration of the license they had to practice the art.

The important thing is that representatives of the Orthodox groups who testified before the committee had very deep convictions on this subject, representing the tradition of centuries. The conviction is this: It has been the tradition for centuries that the first area of suppression of Jews has always been the area of suppressing the ritualistic slaughter practice. This goes back centuries, and reached a climax in the period of Adolf Hitler, when among the first things tackled in order to suppress Jewish life was the Jewish practice of slaughtering.

In other days—and even today—agitators and demagogues of one kind or another, in their drive against the ritualistic slaughter, have identified themselves with humane slaughter, whereas, as a matter of fact, the method of kosher slaughter itself is highly humane. That was the effect of the testimony before the committee.

The Orthodox groups feel that the very essence of our society is religious freedom. The moment the Government is on the positive or negative side, we are capable of impairing the complete freedom of the practice of religion. Some Government inspector, some Government regulation, some intrusion, even on the negative side, will manifest itself

with respect to the practice of this freedom.

That is why I voted as I did upon the question before us, in the hope that the intervening period of time could be devoted to careful study and analysis, which would satisfy the deeply held conviction of a small minority. Nevertheless, small minorities in this country are very dear to us, and we exert ourselves to help them.

Now we come to the essence of the proposal of the Senator from Minnesota. The bill contains provisions with respect to kosher slaughter both in section 2 and section 6. Section 6 is a broad statement of principles. Section 2 is the specific operation of the law in respect to the mechanics of humane slaughter, as defined by the bill.

The bill does not deal with handling. As a matter of fact, the exchange of letters which appears in the House Record, and which may appear in the Senate Record—I do not know exactly what the Senator from Minnesota placed in the Record—demonstrate that handling was not within the contemplation of the authors of the exempting amendment in the other body—at least, not to the extent that it was translated into the language of the bill. Therefore, faced with the parliamentary situation that was before us, in the endeavor to make the exemption crystal clear, I have offered this amendment, which the Senator from Minnesota has very graciously accepted.

Mr. CASE of New Jersey. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. CASE of New Jersey. First of all, I express my thanks to the Senator from New York and my appreciation of the generosity and understanding of the Senator from Minnesota in agreeing to accept the amendment, which I heartily support.

I have prepared an amendment, which is at the desk, to accomplish the same purpose. It is an amendment to section 6 of the bill. I feel that, as a technical matter, it would be desirable to adopt not only the amendment of the Senator from New York to section 2, but my amendment to section 6, to make it very clear that nothing in section 6, which is a little fuzzy at present, conflicts with this exemption.

Therefore, I ask the Senator from New York to permit me to join to his amendment my amendment to section 6; and I ask the Senator from Minnesota if he is willing to accept the joined amendments.

Mr. HUMPHREY. Mr. President, in the first place there is no need of any amendment at all. Second, there is less need of amending the bill twice. I believe that the amendment of the Senator from New Jersey is directed to the proper place, if we need an amendment. Section 6 is the clause specifically aimed at protecting religious freedom. It provides as follows:

SEC. 6. Nothing in this act shall be construed to prohibit, abridge, or in any way hinder the religious freedom of any person or group to slaughter and prepare for the slaughter of livestock in conformity with

the practices and requirements of his religion.

That is a clear protection. If there is need for further clarity, it seems to me that it should be in section 6, and not in section 2.

Mr. CASE of New Jersey. Mr. President, will the Senator from New York yield?

Mr. JAVITS. I yield.

Mr. CASE of New Jersey. I feel that it is proper to amend the bill, and perhaps most desirable to amend section 6, to make it clear that the exemption there granted refers not only to the practice of ritualistic slaughter, which, as the Senator from New York has pointed out, is specifically prescribed by religious law, but also to the preparation and handling, such preparation being perhaps not so clearly prescribed by religious ritual. Therefore section 6 should be amended.

However, I feel, as does the Senator from New York, that there is nothing wrong about making it clear in section 2, the enacting section, that such preparation and handling are exempted. So I hope the Senator from Minnesota will be willing to take these two amendments to conference.

Mr. JAVITS. That would be satisfactory to me. In the conference process the details could be agreed upon. The legislative intent would be very clear if both amendments were accepted. If the Senator from Minnesota is willing, I am glad to accept the amendment of the Senator from New Jersey as a part of my amendment.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. HUMPHREY. Some of my colleagues on this side of the aisle are of the opinion that the amendment is not needed. I stated earlier that the express intent was spelled out in section 6 of the bill. What I believe to be the legislative history of the bill was developed quite adequately in the other body, and in our earlier discussions in the Senate. I understood at that time that no amendment would be offered. I have no particular personal objection to the amendment, but there are those who feel that it would clutter up the bill.

The PRESIDING OFFICER. The Parliamentarian informs the Chair that unanimous consent would be required to join the two amendments, because they relate to different sections of the bill.

Does the Senator from New Jersey desire to ask unanimous consent that that be done?

Mr. CASE of New Jersey. Mr. President, I ask unanimous consent that my amendment be added to and made a part of the amendment of the Senator from New York, with his consent.

The PRESIDING OFFICER. Is there objection?

Mr. ANDERSON. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. AIKEN. Mr. President, will the Senator from New York yield?

Mr. JAVITS. I yield.

Mr. AIKEN. Let me say to the Senator from New York that, as one of the

members of the committee who voted to support the original bill, which is sponsored and supported by the Senator from Minnesota, I thought the provisions of the bill amply protected religious ritual; and until the Senator from New York raised the question, I still thought so.

Furthermore, I felt that the addition of any amendments to the bill might delay its final passage, even if it did not obstruct final passage.

However, since the Senator from Minnesota has already brought about a change in the Senate committee version of the bill, I can see no harm in adding the amendment of the Senator from New York, if he feels that it is needed to protect the religious ritual of the Jewish people. I see no objection to it, and will vote for it.

Mr. JAVITS. I thank the Senator.

Mr. POTTER. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. POTTER. I concur in the amendment offered by the Senator from New York, and also the amendment referred to by the Senator from New Jersey.

I know that many Orthodox Jews are greatly concerned over what interpretation might be made in the future with respect to the ritual in connection with the slaughtering of animals. If the only objection to the Senator's amendment is that it is already provided for in the bill, I can see no objection to either the amendment of the Senator from New York or the amendment of the Senator from New Jersey. I hope the committee will accept both amendments.

Mr. JAVITS. Mr. President, I invite attention to page 245 of the hearings, where Senators will find a letter addressed to the chairman of the Committee on Agriculture and Forestry. The letter is signed by R. L. Farrington, general counsel, United States Department of Agriculture. The last sentence reads:

For the reasons heretofore indicated, however, there is serious question whether the exemption would extend to the handling of livestock in connection with slaughter when the livestock products are intended for other purposes.

In an exchange of letters between the Senator from Minnesota [Mr. HUMPHREY] and representatives of Jewish groups—

Mr. PASTORE. Mr. President, may we have order?

The PRESIDING OFFICER (Mr. PROXMIER in the chair). The Senator from New York will suspend until the Senate is in order. Senators will desist from conversation. The Senate will be in order.

The Senator from New York may proceed.

Mr. JAVITS. In an exchange of letters between Representatives POAGE and the same groups the point was constantly made that handling was not included, but that the provision related to ritualistic slaughter. I divine the feeling that the exemption should be made complete in terms of the people who feel very deeply about shehitah slaughter, for reasons of tradition, as I explained earlier.

The purpose of my amendment and the purpose of the amendment of the

Senator from New Jersey, which I wish could be accepted as a part of my amendment under the parliamentary situation, is to make that exemption complete. There is no question about that. I believe that is what we want to do and what we ought to do today, in all fairness and based upon the testimony before the committee as to the humanness of this method of slaughter.

Mr. THYE. Mr. President, will the Senator yield?

Mr. JAVITS. I believe I should yield first to the Senator from Rhode Island. Then I shall be happy to yield to the Senator from Minnesota.

Mr. PASTORE. I wish to compliment the Senator from New York for the splendid way in which he has stated his position. He has done it with clarity and simplicity and with great sincerity. A great many people in my State have spoken to me of their very strong convictions about this matter. When we begin to legislate and reach out and seem to touch, whether it be by implication, inference, or otherwise, the sensitivity of religious groups in their belief, we ought to be very careful that we do not offend anyone.

I believe the suggestion which is being made by the Senator from New York is fair. If it is redundant in any way, correction can be made in conference. All the Senator from New York is suggesting is that the two amendments be taken to conference. If it is felt that the bill does not put the proper umbrella over the convictions of a certain group, or groups, who sincerely believe in their religious rituals, I see no harm in accepting the amendments and taking them to conference. If the matter needs clearing, it can there be made abundantly and effectively clear. We will have made a legislative record whereby there will be no doubt in anyone's mind that we have no intention of offending anyone in his religious convictions.

Mr. THYE. Mr. President, will the Senator yield?

Mr. JAVITS. I now yield to the Senator from Minnesota.

Mr. THYE. As one who served on the subcommittee and who conducted some of the hearings when representatives of religious groups were before the committee and stated their objections to certain provisions of the bill, which testimony brought about the committee amendment to the bill, I can say very frankly that one reason for my supporting the committee amendment was simply that it seemed to me the bill, without the committee amendment, conflicted with the religious convictions of some people in the country. The foundation strength of these United States is the respect we have for one another's religious convictions. I for one would never vote for any legislative enactment which would in any sense offend the religious conviction of any person. It was for that reason that I supported the committee amendment.

The other reason was that there is not sufficient information available relating to the captive bolt pistol as a method of rendering an animal senseless. I know enough about the handling of livestock to be aware that anyone

who undertakes to make an animal senseless with a captive bolt pistol has a job on his hands. I am referring to the pistol, and the problem of trying to get the pistol aimed at the head of an animal in a chute, when the animal has already become excited because of being driven into the chute.

I sat in two subcommittee meetings when I was the only Senator present, and I conducted the hearing when more than 20 Rabbis begged the committee not to take any action which would impinge on their religious convictions. I felt we were justified in reporting the committee amendment.

The PRESIDING OFFICER. The Senator from Minnesota will suspend until the Senate is in order. The Senator from Minnesota cannot be heard. Senators will desist from conversation. The Senator from Minnesota may proceed.

Mr. THYE. For that reason also I supported the committee amendment. The Senator from New York is asking only for what is proper. He is asking that the proposed amendment be taken to conference. It is not right to give a great many people the impression that what they have been taught in their religious beliefs is being placed in jeopardy by a legislative proposal passed by the Senate.

Mr. JAVITS. I thank the Senator.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. MORSE. I should like to have the attention of the Senator from Minnesota and the Senator from New York. I may be treading where angels fear to tread; but I am no angel. I voted against the committee amendment because I believe the record on the bill is a very complete one. The basic controversy seems to be over the issue which has been mentioned by the Senator from New York. I wish to raise two questions in regard to it, in order to have his advice and counsel before I vote on the amendment.

We all know that representatives of the Orthodox Jewish faith have conferred with many of us. We have before us not only a question of their deep religious beliefs, but also the question as to what is humane slaughter.

I believe it goes without saying that basic in the Jewish faith is a tenderness and a kindness and a humane attitude toward dumb beasts. There is certainly no basis for any assumption that the Orthodox Jewish religion seeks to use any method of slaughter which in our day would be considered inhumane.

I may say to the Senator from New York that the question which has been raised by some Orthodox rabbis with the senior Senator from Oregon in regard to an exemption, may seemingly give the impression, although false, that this group of Jews is seeking some sort of exception to humane slaughter. I believe we ought to keep the record perfectly clear on this question, because I know that no greater disservice could be performed by us to the Orthodox Jews of America than to let legislation

go through the Senate which offers a basis for the allegation that we have provided the Orthodox Jews with an exception to a humane slaughter bill.

I do not believe we can stress that point too much. The record ought to be crystal clear on that point. Recently as this afternoon some Orthodox rabbis expressed to me their great concern about it. It is true that they wished to postpone the consideration of the bill for further study. However, as a legislator I must come to a decision this afternoon as to whether we have sufficient facts in the record on which to base our decision whether the bill should be passed or defeated—either one, depending on the will of the Senate.

I am satisfied we have the record, and we ought simply to come to grips now with the one issue which seems to me is the stumbling block in the path of the thinking of many of us. If the amendment provides an exception for the orthodox Jews of the country, so far as humane slaughtering is concerned, I shall vote against the exception because, as a matter of public policy, in my judgment, we should pass legislation that provides for humane slaughtering everywhere in the United States.

I do not accept the notion that religious freedom entitled anyone to indulge in inhumane slaughtering practices. But I am satisfied that the bill as worded, although it will be strengthened, if I understand the purpose of the amendment of the Senator from New York correctly, protects the orthodox Jews in their present ritual, in that their present ritual conforms to the humane slaughtering criteria of the bill. I desire to be advised as to whether I am right or wrong about that.

That leads me to the technical slaughtering question, about which I am not well informed. I should like to have either the Senator from New York or the Senator from Minnesota, or some other Senator, advise me in regard to it. Am I correctly informed that under the ritual of the Orthodox Jews there is a deep belief that in order to meet the slaughtering requirements, which for centuries have been traditionally a part of the faith and for which there are some very interesting historical background reasons, the animal should be bled to death; and that under the bill, the bleeding could still take place, but there would be a requirement that the animal first be stunned? In other words, that the bleeding take place while the animal is in a stunned condition, and that, therefore, technically the ritual requirement of the orthodox Jewish faith is met under the bill.

As I understand, the Senator from New York seeks only to make that understanding perfectly clear by his amendment, and the amendment does not, in effect, make an exception for the orthodox Jews in relation to other slaughtering methods in this country.

Mr. JAVITS. If the testimony before the committee is evaluated, the case is made by the orthodox Jewish group citing ample scientific evidence that the method of slaughter in which they engage is already humane as indeed it

must be to be in accord with the philosophy on which it is based. This was the basis, as I understand, upon which the committee in the other body acted.

I assume it is the basis of the record on which the Senate has acted.

Mr. THYE. Mr. President, will the Senator yield? Has the Senator from New York finished?

Mr. JAVITS. I have not finished, but I am glad to yield.

Mr. THYE. I thank the Senator from New York.

In the committee hearings, when the question was raised whether it was more humane to bleed an animal to death than it was to try to stun it before the bleeding, neither the veterinarians nor anyone else was able finally to determine which was the more humane method.

I went into the committee room with an open mind and sat through the extensive hearings. I was shown a captive bolt pistol. Any Senator who has handled livestock and has endeavored to get in front of an animal's head when the animal has already been excited by handling in the various chutes through which it is necessary to drive it, and then takes a captive bolt pistol and tries to strike the head of the animal, knows he has to pull the trigger. If he pulls the trigger at the time the animal turns his head, and happens to hit the animal in the eye or upon the ear or somewhere else, what has he done? Has he stunned the animal? No; he has incensed or crazed the animal.

Which is worse? To let a man who has become quite proficient at swinging a hammer hit the animal with a sledgehammer, and have just as good a chance of hitting the target of the head of the animal, or to let him try to use a pistol which has a captive bolt, and actually tried to shoot the animal in the forehead?

After sitting through the hearings, I have finally arrived at the conclusion that I am not certain whether the captive bolt is the proper way to stun an animal.

I know the gas chamber is a proper way, so far as concerns what the animal looks like when it comes out of the chute, because I have stood in the Hormel plant in Minnesota and watched animals come into the building and be conveyed to the chamber. I heard no sound. I saw the animal come out at the other end of the chute, lying as senseless as an ear of corn or a cordwood stick.

I do not know what happened in the mind of the hog in the chamber. I know I did not volunteer to follow the hog in there, because I was not certain what my own reaction would be inside the chamber. I do not know what the hog's was. The veterinarians did not tell us what the hog's thoughts were while it was going into the chamber.

All of those were questions as to which I could not make up my mind. I finally came to the conclusion that since there were 30 rabbis in the hearing room, all of them excited, not knowing whether they could accept the language because they did not know whether it would interfere

with their religious convictions or not, I would not be the one who would disturb that particular group of people in this land.

Then, when I asked the veterinarians which was the proper way of making an animal senseless, they could not answer me.

So the best I could do was to set a positive time in which the industry would have to determine the method by which they intended to make the animal senseless, and in a manner which would satisfy a certain Jewish body's religious convictions.

That was why I voted as I did. I have answered more mail on the question of humane slaughter than I have on mutual security or military appropriations in the course of the past months. I expect to answer many more questions on humane slaughter in the future.

I am simply saying that the foundation upon which the strength of America was built is that we respect one another's religious convictions, and that we will not in any sense disturb or jeopardize any person's right to worship God in the way he learned to do it at his mother's knee. I am not one who wishes to interfere with the practice of his religion by anyone who worships God as he learned to do it at his mother's knee.

That is why I voted for the committee amendment. It is only a matter of less than 18 months until the industry must decide what it will do or else be compelled to act.

Mr. JAVITS. Mr. President, I should like to finish my reply to the Senator from Oregon [Mr. MORSE].

I think the groups in this particular area which appeared and testified in opposition did not feel they could accept any bill which did not contain such an amendment as I have offered. Their position was clear and precise. The minute the Government intruded into this problem, they felt there was an impairment of their exercise of religion. That was the situation we faced up until about 20 minutes ago. Now the Senate has expressed itself in correlation with the House.

Now the very same groups will not have an opportunity to appear and testify before the committee again. The bill will roll right into conference from here. Therefore, I am trying, I assure my colleague—it is not a happy job—of my desire to keep all the doors open, so that in the conference, at least, what might have been done in the committee room will be capable of accomplishment.

If my amendment shall not be accepted, then the provision will stand exactly as it is.

Those to whom I have reference have not even addressed themselves to whether the bill is satisfactory. The only thing we have is an exchange of correspondence in which A asked B, to wit, the author in the other body, whether this language is acceptable, and B said "No."

I could not even get them to tell me the amendment was satisfactory. All I am trying to do is to give the conferees an opportunity to consider the matter, now that the group in question must

cope with the reality of the situation, so that the parliamentary situation will not foreclose them.

If anyone can think of a better procedure, I shall be delighted to have him state it.

Mr. HUMPHREY. "Mr. President, will the Senator from New York yield to me?"

The PRESIDING OFFICER (Mr. PROXMIER in the chair). Does the Senator from New York yield to the Senator from Minnesota?

Mr. JAVITS. I yield.

Mr. HUMPHREY. First of all, let us get the RECORD straight. The bill as passed by the House of Representatives will not be operative until 18 months have passed. The study bill would have been operative in 2 years. So the difference is only 6 months.

Furthermore, the Department of Agriculture has had years in which to make the study. Nevertheless, those who have been objecting to the bill ask for more time for study. Two years ago, when we were considering a bill which provided for 5 years of study, the opponents of the pending bill were even opposed to that proposal.

Furthermore, in response to the question asked by the Senator from Oregon let me say that subsection (b) of section 2 is an affirmative finding by the Congress, to the effect that the slaughtering method known as kosher slaughtering is a humane type of slaughtering within the statement of public policy set forth in the bill. Testimony on that subject has been taken; and in that connection I refer my colleagues to the testimony taken in 1956, as set forth on pages 142 through 145. That testimony was given as a result of scientific study.

So, when some say they have not heard anyone comment on whether the kosher method of slaughtering is humane, let me point out that there is no denial that there was presented before the committee testimony that that method of slaughtering, as described in subsection (b) of section 2, falls within the modern definition of humane slaughtering.

Of course, no method of slaughtering is particularly kind; the question is one of degree.

But in the case of the amendment which is being offered, I believe it should be noted that section 6 of the bill does not apply only to the Jewish faith; instead, it applies to any religion or any religious faith, and it provides an exception based on the fact that Congress simply cannot make a law which would deny religious freedom, for such a law would be unconstitutional.

Therefore, section 6 is an expression of intent, so as to make perfectly clear that there will be no infringement at all upon religious freedom, since an infringement upon religious freedom would be unconstitutional.

So the bill contains an affirmative finding in favor of kosher slaughtering, although no exemption is given to it as such.

Mr. ANDERSON. Mr. President, will the Senator from New York yield to me?

Mr. JAVITS. Of course. But, first—so the Senate will understand my objec-

tive; and apparently the Senator from Oregon does understand it, regardless of whether he agrees with me—I should like to read my amendment, as follows:

Handling in connection with such slaughtering which necessarily accompanies the method of slaughter described in subsection (b) of this section shall be deemed to comply with the public policy specified by this section.

In short, I, myself—and I say this honestly—I have not received any help; I have not even had the help of the groups which this amendment is designed to help—I drafted a provision which I hope will keep the door open, so the enforcement will be confined to the enforcement of what I believe this body and the other body intend.

Mr. MORSE. Mr. President, will the Senator from New York yield to me?

Mr. JAVITS. I yield.

Mr. MORSE. Let me say that I never would be a party to a restriction of a religious faith. But I respectfully dissent from one comment the Senator from Minnesota [Mr. HUMPHREY] made, namely; that it would be unconstitutional to prohibit a religious practice. Certainly that is not the case, at all.

Mr. HUMPHREY. If I said that, I was in error, I admit.

Mr. MORSE. Under the Constitution, any interference with a religious faith is prohibited.

Certainly I have no desire to interfere with kosher slaughtering methods. I merely raise the point of whether the bill, as it came to us, and the Senator has cleared up the point for me, covers kosher-slaughtering methods. Now that point has been cleared up.

Mr. HUMPHREY. That is correct.

Mr. MORSE. Next, I ask whether an exception was requested. If that point has already been covered, then I raise the policy question of whether it is wise to seem to give the impression that we would be making an exception.

Mr. HUMPHREY. I think the Senator's point is quite valid.

Mr. ANDERSON. Mr. President—

Mr. JAVITS. I am glad to yield to the Senator from New Mexico.

Mr. ANDERSON. I wish to ask the Senator from New York two questions:

First, did the Senator from New York present or submit the amendment, or did anyone else submit a similar amendment, to the Committee on Agriculture and Forestry, when the committee was trying to wrestle with this matter?

Mr. JAVITS. The answer is "no"; and in extenuation of my position, I can only refer to the frank explanation I have given to the Senate; namely, that one who tried to handle this matter could not obtain help from anyone else.

Mr. ANDERSON. I understand.

Certainly the Congress has been wrestling with this problem for many years; this is not the first time it has been encountered.

Furthermore, in the Department of Agriculture the problem has been wrestled with for round after round after round.

Does the Senator from New York know whether Orthodox Jews, in their testimony before the committee, stated that

they could not find words to express the exact desire they have had in reference to this matter?

I think the chairman of the committee has so testified; and I believe that is so.

I only say to the Senator from Minnesota and to other Senators who may be interested that if they wish to kill the bill, this is a good way to start killing it.

Mr. HUMPHREY. I hope the Senator from New Mexico understands that I do not want to kill the bill.

Mr. ANDERSON. Of course I realize that.

At one time, I intended to vote for the committee amendment. However, I believe that the Senator from Minnesota and the Senators associated with him have come up with a provision which offers as good a solution—in other words, to provide that the study be made for 18 months, rather than 2 years.

At one time I had the delicate responsibility of trying to operate every slaughterhouse in the United States, because at that time the Government had taken them over and the Department of Agriculture operated them. I found that a great many religious practices were involved.

I do not care to be in the position of having to arbitrate a fight between 2 religious groups, because that would be worse than trying to arbitrate a fight between 2 brothers.

I say that we should either pass this bill as it now stands or recommit it, for further study.

Everyone who has tried to arrive at an acceptable legislative provision in connection with this matter has found it impossible to find words upon which all the groups involved would agree. I imagine that thousands of such attempts have been made; and each time one group or another has refused to accept the language proposed.

If the bill goes to conference, it will be wrangled with until too late in the session for a conference report to be agreed upon by the conferees and then to be agreed to by both Houses.

At one time I told the Senator from Louisiana that I would support his position; and I thought he did the right thing in reporting the committee amendment. But then I found much opposition to it. So I said, "Very well; if others can work out the problem, let them go ahead and do so; and let those who say that the provision will imperil the groups they represent or the groups in which they are interested show in 18 months how it will imperil them."

I think the provisions proposed will protect the handling.

The Department of Agriculture has wrestled a dozen times with the problem of finding an acceptable solution, and representatives of the religious groups have tried to find an acceptable solution. But every time, the attempts end in controversy.

Is the Senator from New York familiar with the fact that when the representatives of the Orthodox Jews were asked to submit language which would be acceptable to them, they said they were unable to propose language which they

thought would be acceptable for inclusion in a slaughtering bill?

Mr. JAVITS. Yes; I have stated the reason for that position, which is that any legislation at all would be so contrary to their position that they could not suggest anything in the way of an amendment, and they would not.

Mr. ANDERSON. That is correct.

Mr. JAVITS. Or perhaps they could, but they would not.

Mr. ANDERSON. Then why not simply vote against the bill?

Mr. JAVITS. But now we are faced with a new situation, namely, that a bill on this subject will be passed.

All I am trying to do is make it possible for the Congress to pass a bill which will include provisions under which these groups can operate.

The Senator from Minnesota already has submitted amendments. In view of the adoption of the amendments, the bill must go to conference, unless the other body accepts the Senate's version of the bill. But if the other body does not accept the amendments which have been agreed to by the Senate, the bill, as thus amended, will have to go to conference.

However, in connection with proposed legislation in this field, there never has been a time when the Senate and the House were fairly close together.

So I say we should at least leave this door open, so those who have deep feelings on this subject—even though they are a minority; nevertheless, even a minority is entitled to consideration—may have an opportunity to have provisions under which they can operate enacted into law. Therefore, I urge that the bill which will be passed be put into the shape which the other body and which the Senate believes it should be in, to wit, so that the bill will provide that ritualistic slaughter shall not be subject to the regulations of the Department of Commerce.

That is what I have requested; and I believe that such a provision is in accord with the spirit of the bill as passed by the House of Representatives.

Assuredly, one can conjure up all kinds of objections, including the one that an effort is going to be made to kill the bill; but there has been a majority vote in the Senate. From what I know about the legislative practices, this bill is going to pass both Houses at this session. At least, let us give an opportunity to those who feel so deeply about the question to have something to say about the provision which will be made for them.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. HICKENLOOPER. I should like to ask the Senator from New York if he has given thought to what could or could not be a most significant step, that is, whether by the bill Congress is assuming jurisdiction, either affirmatively or negatively, to pass on a religious problem. I assure the Senator I believe Congress can do things affirmatively or negatively, but it makes no difference whether we make an affirmative assumption if we attempt to grant jurisdiction in a field that has to do purely and solely with a deep reli-

gious belief which has existed for ages.

Mr. JAVITS. I suggest to the Senator from Iowa that I argued the point at great length in laying before the Senate the position of the Orthodox groups, which was exactly as it has been expressed by the Senator from Iowa. But the Senate has gone beyond that point. We are faced with a realistic situation. I laid the other argument before the Senate in great detail. It was my privilege to do so. It was done fairly. That matter has been completed. Now we are dealing with a practical question. Now we are dealing with a situation in connection with which I am trying to give both sides an opportunity to have their position realized and dealt with.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. JAVITS. I yield to the Senator from South Dakota.

Mr. MUNDT. As a member of the Committee on Agriculture and Forestry, which has studied this question and has held hearings on it during two sessions of the Congress, I wish to say the Senator from New York, who is not a member of the committee, responded to a question by the distinguished Senator from New Mexico as to whether or not an amendment of this type had been placed before the committee, and he rightly said, "No." But the Senator's amendment along this line, and other amendments, were discussed as an outgrowth of the hearings, and were considered at great length by the committee. We were confronted with the difficulty which now confronts the Senate—as to whether or not Congress can state the matter sufficiently well to preclude a perhaps overly ambitious solicitor from making a finding that this type of ritualistic slaughtering is covered by the act. It is pretty difficult to make a finding in a legislative act or by a committee as to whether any kind of slaughtering is humane or inhumane. I would assume use of a gas chamber is a humane type of slaughtering, because that type of execution sometimes is used for human beings. Then we run into the controversy of whether it is humane to the animal, but inhumane to the human beings who eat the flesh of that animal. Does it contaminate the meat, or does the so-called humane slaughter process have a destructive result on the edibility of the meat?

I have supported the chairman of the committee on the proposition that what we should do is have the matter studied at a high level, so a commission which had sufficient time to operate could bring before it religious leaders, veterinarians, health authorities, and scientists, in an attempt to arrive at a program which would be satisfactory to all.

I think we are flirting with dynamite when we try to legislate in a field which is as beclouded with fuzzy issues as this one is.

I agree the Javits-Case amendments make it a little clearer. Despite the attempt of the Senator from Minnesota to make it clear in the original bill, and in spite of the effort to make it clear on the floor of the House, it is quite obvious that just as it is unclear to Members of

the Senate today it may well be unclear to a Government solicitor in the future.

I think we should be careful when we legislate in a field such as this. I have had a great many persons from the Orthodox Jewish faith come to me. I do not think we have one tabernacle in my whole State with a completely Orthodox congregation. We have tabernacles, but do not think they are of the Orthodox faith. I think, however, the members of this faith have made a good point. I listened to them. They were sincere. They were devotedly convinced that rituals of their particular religious faith were being placed in jeopardy by our action here. I do not think we do it intentionally, but in the enthusiasm of trying to adopt a good bill for some, we can, in my opinion, bring great injury to others.

I feel the Senate made a mistake when, by a very narrow margin, it declined the opportunity to have the bill studied under the preferred kind of circumstances suggested, where representatives of the Orthodox faith and of other religions could be heard, where they would know, a date having been fixed, Congress was going to enact some kind of a humane slaughtering process.

I do not know whether shooting an animal in the head is more humane than hitting him on the head with a hammer. If I were going to operate a pistol and aim it at a calf, I would rather, if I were a calf, take a chance with a hammer in the hands of my friends, who would probably hit more accurately than I would be able to shoot.

I shall support the amendment. I think it clarifies the bill. But I must confess, even with that clarifying language, I still think we are entering into a very tricky field, utterly unaware of what chain of circumstances may eventuate, because here among ourselves, men of good intention cannot agree to what is being actually said or implied.

I think if we are going to protect the practice of ritualistic slaughtering effectively, we can do it best by making the type of exemption the Senator from Oregon would not approve—simply say, "You are exempt." I think we would be on much firmer ground by saying, "You are exempt" when we have heard that veterinarians differ on the question of what is humane slaughtering, rather than run the risk some Government veterinarian or solicitor may decide that ritualistic animal killing is not humane.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. MUNDT. I yield.

Mr. HUMPHREY. I wish to point out that in 1956, all the Senators who have spoken, with the exception of the Senator from New York [Mr. JAVITS], voted unanimously for a bill which defined humane slaughtering in the same language. In 1956 the Senate voted unanimously a bill recognizing kosher slaughtering as humane.

Is it not interesting, all at once, that most of those who now are so concerned about amending the bill have been opposed to it in the first place? Is it not further interesting that in the bill now before the Senate it is provided the com-

mittee to be appointed shall include representatives of religious group, slaughterhouses, and humane associations? That advisory committee is directed to advise the Secretary on further problems related to humane slaughter methods. Eighteen months is already provided for the advisory committee to make further suggestions to the Secretary of Agriculture, but it happened that the amendment we rejected provided for 24 months. That is a difference of 6 months.

I heard the Senator from South Dakota say that under the Senate committee amendment, we would have had a fine study for 2 years, and it would have been followed by action.

May I say, most respectfully, there is an advisory committee provided for under the language of the bill as passed by the House. The advisory committee would work by direction with the Secretary for the purpose of examining into further humane practices.

Mr. NEUBERGER. Mr. President—

Mr. JAVITS. I yield to the Senator from Oregon.

Mr. NEUBERGER. I should like to obtain the floor in my own right, to comment briefly upon the Senator's amendment.

Mr. JAVITS. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon is recognized.

Mr. NEUBERGER. May we have order, Mr. President?

The PRESIDING OFFICER. The Senate will be in order. Senators will desist from audible conversation.

The Senator from Oregon may proceed.

Mr. NEUBERGER. Mr. President, I should like to have the RECORD to show that in my opinion section 6 of the bill, as it came from the House of Representatives and as it is presently before the Senate, more than adequately protects any ritual slaughter. In my opinion the section is adequate, is effective, and is all that is vitally necessary.

I desire to say also that in all seriousness I think, before the issue is raised on the floor of the Senate that somebody's religious freedom is in danger, the problem should be thought through as to exactly what we mean. When I think of religious freedom I do not think of a way of slaughtering an animal or a way of operating a hospital, but I think of how a person is going to commune with his or her Creator in a place of worship—in a church, in a synagogue, in a cathedral, in the great outdoors, or in any other place where that individual prays and worships.

I was a member of the State legislature in the State of Oregon for many years, as was my wife with me. We discussed this matter last night, and my wife reminded me that we had a spokesman at the Oregon Legislature of the Christian Science faith. The Christian Scientists were concerned about a good deal of State legislation which dealt with physical examinations in the schools, with requirements of vaccination of students, for cards which had to do with the examination of cooks and waitresses for tuberculosis, venereal disease, or

other things which might be contagious with respect to food handling. But I want to say that the Christian Science representative in the Oregon State Legislature, to the memory of my wife and me, never came to us when he was interested in legislation which dealt with public matters, to claim that the religious freedom of the Christian Scientists was in jeopardy because of a particular piece of health legislation before the Oregon State Legislature. This was to his great credit.

He might not have agreed with the legislation. He might have suggested an amendment. He might have thought the bill as written in that particular detail was inadvisable. However, he never said to us, "This interferes with religious freedom."

I want to say I believe there is a difference between some custom in slaughtering an animal or some method of operating a hospital or requiring a food handler's card, and whether a man is free to go to church or other place of worship of his choice and to commune with his Creator as he sees fit. If any such legislation interfering with worship were proposed, of course it would be an outrage and contrary to all the traditions and legacies of this great country.

I think before the issue is raised on the floor of the Senate of the United States that religious freedom is in danger, everyone who proposes to raise the issue should think the matter all the way through; because the people who founded this country, when they thought of religious freedom, thought of it in terms of the valiant Pilgrim Fathers, who had to leave England because the soldiers of the crown forcibly kept them from entering the church of their choice. That is what religious freedom has meant in the history of this country, and I do not believe we should use that term lightly when discussing this or any other proposed legislation.

SEVERAL SENATORS. Vote! Vote! Vote!

Mr. CASE of New Jersey. Mr. President, I wish to add a word. I regret that it is not possible for the Senate to vote on the amendment offered by the Senator from New York and on my amendment at the same time. Both the amendments are directed toward the same purpose, and I think together they might do an adequate job. I feel that both amendments should be agreed to. Whether or not the amendment offered by the Senator from New York is agreed to, I expect to offer my amendment, and I hope it will be agreed to.

As the Senator from Rhode Island [Mr. PASTORE] said, Mr. President, I see no reason why we should not, if we can—and I know we can—so amend the bill as to maintain its essential purposes and avoid offending very deeply a minority, however small, which regards the matter with which we are here concerned to be essential to its religious faith and practices. That is the test, Mr. President. It is not a question of what we think another man's religion ought to be, but instead a question of what he sincerely and deeply believes is essential to his religious conviction, faith, and observance.

That, I am certain, is what is intended by the provision of the Constitution of the United States. Therefore, I hope very deeply, as one who voted against the committee amendment and for the language of the Humphrey amendment, which is the language of the House bill, that the amendment of the Senator from New York will be agreed to, and that thereafter my amendment to section 6 of the bill will also be agreed to.

SEVERAL SENATORS. Vote! Vote! Vote!

Mr. O'MAHONEY. Mr. President, during the debate I have been reading the language of the bill as it passed the House. As I read the language, I cannot fail to wonder whether the Members of the Senate who voted to reject the committee amendment have also read it. The bill is not grammatical. The bill is not logical. It provides no certain definition. It is not a model of legal draftsmanship. It does not define humane slaughter. If it is enacted into law, it will become an instrument of creating litigation, rather than promoting humane slaughter.

It is only necessary, Mr. President, to read the language of the bill which is before us if we want to know what we are trying to put upon the statute books. I turn to page 1 of the bill as reported by the committee, with the lined type appearing on pages 1, 2, 3, 4, 5, and a good part of page 6, to set forth the measure as it passed the House. I ask my colleagues to indulge me while I begin to read from the language, beginning on page 1, line 11:

It is therefore declared to be the policy of the United States that the slaughtering of livestock and the handling of livestock in connection with slaughter shall be carried out only by humane methods.

That is the end of section 1. One would imagine that somewhere in the bill there would appear language to define specifically what humane methods are. Do we find such language? No, we find only the pretense. We find a declaration of two methods which are said to be humane, and we find a declaration delegating to the Secretary of Agriculture the authority to determine what humane slaughter is.

Are we the legislative body, or is the Department of Agriculture the legislative body? Does anybody doubt the accuracy of my statement? Let us proceed to read further.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I will yield in a moment.

Mr. HUMPHREY. The Senator wanted to know if anybody doubted the accuracy of the statement.

Mr. O'MAHONEY. Just a moment, please. I will not yield at this time.

I continue to read:

No method of slaughtering or handling in connection with slaughtering shall be deemed to comply with the public policy of the United States unless it is humane.

Apparently that is a restatement of the policy—

No method of slaughtering or handling in connection with slaughtering shall be deemed to comply with the public policy of the United States unless it is humane.

The next sentence reads:

Either of the following two methods of slaughtering and handling are—

I am not being ungrammatical. This is the language of the bill—

Either of the following two methods of slaughtering and handling are hereby found to be humane.

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I decline to yield at the moment.

Either of the following two methods of slaughtering and handling are hereby found to be humane.

Of course, that should read "Either * * * is—"

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I decline to yield.

After the colon, we find language which purports to describe the humane method. Let us read it:

(a) in the case of cattle, calves, horses, mules, sheep, swine, and other livestock, all animals are rendered insensible to pain by a single blow or gunshot or an electrical, chemical or other means that is rapid and effective, before being shackled, hoisted, thrown, cast, or cut;

What is meant by "other means that is rapid and effective, before being shackled, hoisted, thrown, cast, or cut"? Three or four lawyers might gather to debate precisely what the meaning of that definition of humane slaughter is.

Now we come to line 15, subsection (b). I shall not read that, but shall content myself with calling attention to the fact that this is a paragraph which attempts to protect the kosher method of slaughtering. It does not say what it is. Otherwise, there would not be an amendment offered to it now. It is not clear. Neither is the amendment clear, because, as we have heard, there is disagreement among members of the Jewish faith as to what the system of kosher slaughtering should be, and how it should be described in words and figures.

We have now come to the end of section 2. Have we had a definition of "humane slaughter"? There is no such definition in subsection (d) because Members of the Senate this afternoon have been debating about the uncertainty of that language.

Mr. DOUGLAS. Mr. President, is the Senator asking a rhetorical question, or an actual question?

Mr. O'MAHONEY. This is a rhetorical question.

I proceed with my rhetorical analysis of the bill. We come now to section 3:

The public policy declared herein shall be taken into consideration by all agencies of the Federal Government—

Why does it not read "shall be followed by all agencies of the Federal Government"? That is too specific. That is too clear. That is too definite. That is too mandatory. So we are to have debating societies in all the agencies of the Government, to determine what humane slaughter is.

Sec. 3. The public policy declared herein shall be taken into consideration by all agencies of the Federal Government in con-

nection with all procurement and price support programs and operations and after December 31, 1959, no agency or instrumentality of the United States shall contract for or procure any livestock products produced or processed by any slaughterer or processor which in any of its plants or in any plants of any slaughterer or processor with which it is affiliated slaughters or handles in connection with slaughter livestock by any methods other than methods—

Does it say "described in section 2"? No; that would be too clear. It goes off on another tangent—

methods other than methods designated and approved by the Secretary of Agriculture—

Are we a legislative body, or merely a debating society?

Mr. DOUGLAS. Mr. President, is that a rhetorical question?

Mr. O'MAHONEY. That is a rhetorical question.

Mr. DOUGLAS. We have the answers to the Senator's rhetorical questions.

Mr. O'MAHONEY. I have heard the answers before—

by any methods other than methods designated and approved by the Secretary of Agriculture (herein referred to as the Secretary) pursuant to section 4 hereof—

Nowhere is there any mention of section 2, which is the section immediately after the declaration of policy, which states that there are two methods which are humane. Concerning one of them we know that there has been disagreement, because it raises some sort of religious question.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I decline to yield.

Mr. HUMPHREY. I merely wished to help the Senator.

Mr. O'MAHONEY. I know the Senator. I have had his help before. pursuant to section 4 hereof: *Provided—*

Of course, we all know that when we have a proviso clause, we are dealing with something else—

Provided, That during the period of any national emergency declared by the President or the Congress, the limitations on procurement required by this section may be modified by the President to the extent determined by him to be necessary to meet essential procurement needs during such emergency.

Here we have another delegation. This is a delegation to the President. He can upset the whole apple cart. He can upset the whole scheme of humane slaughter. He can upset the whole humane slaughter idea, which is so indefinitely, and poorly defined and vaguely stated that no one can read the bill and tell what it means.

Mr. HUMPHREY. It is no problem at all.

Mr. O'MAHONEY. Reading further:

For the purposes of this section a slaughterer or processor shall be deemed to be affiliated with another slaughterer or processor if it controls, is controlled by, or is under common control with, such other slaughterer or processor. After December 31, 1959, each supplier from which any livestock products are procured by any agency of the Federal Government shall be required by such agency to make such statement of eligibility under this section to supply such livestock products as, if false, will

subject the maker thereof to prosecution, title 18, United States Code, section 287.

There is an invitation to some lawyer—not in Congress, not on the committee staff, not in the Senate, not in the House—to draw up an affidavit which is false. How is he to determine whether or not it is false?

Mr. DOUGLAS. Mr. President, will the Senator yield?

Mr. O'MAHONEY. Will not the Senator from Illinois indulge me? The Senator has had his day.

Mr. DOUGLAS. I have not spoken at all. I should like to know whether the Senator is addressing himself to the amendment in question, or to a decision which has already been made by the Senate, and with respect to which a motion to reconsider was laid on the table.

Mr. O'MAHONEY. The Senator is quite away from the point. I will make it clear as I go along.

So we have the authorization to some lawyer, somewhere, somehow, to draw up the affidavit. Then there will be a lawsuit whether the affidavit when signed before notary is or is not false. Then there will be another lawsuit.

One would think that all the contradictions in the bill would have been covered in two pages. But no, I read from section 4:

SEC. 4. In furtherance of the policy expressed herein the Secretary is authorized and directed—

(a) to conduct, assist, and foster research, investigation, and experimentation to develop and determine methods of slaughter and the handling of livestock in connection with slaughter which are practicable with reference to the speed and scope of slaughtering operations and humane with reference to other existing methods and then current scientific knowledge;

Here is language in the bill which authorizes the Secretary of Agriculture to make alterations after his research and study in accordance with scientific procedures not now being followed, but to be followed sometime in the future after he has made his studies.

The Secretary of Agriculture can change the whole procedure. Section 2 is being politely forgotten. Whoever drafted the bill was dealing in emotionalism. Humane slaughter. Of course that appeals to every person. We all want to be humane. I have even heard the Senator from Minnesota say this afternoon that no slaughter is humane. I believe he is right. This would be a good antivivisection bill. It would be a good vegetarian bill. It is not a practical bill. Why should the drafter of the bill have provided in section 4 (a) that the Secretary is authorized to "foster research, investigation, and experimentation to develop and determine methods of slaughter and the handling of livestock in connection with slaughter which are practicable with reference to the speed and scope of slaughtering operations"?

Then we go to subsection (b):

(b) on or before June 30, 1958, and at such times thereafter as he deems advisable, to designate methods of slaughter and of handling in connection with slaughter which, with respect to each species of livestock, conform to the policy stated herein.

Is that not a broad delegation of legislative authority, to define something which ought to be defined in the bill? It is a delegation to the Secretary of Agriculture to say what humane slaughter is. If we are to legislate with respect to humane slaughter, certainly the least we should do is make clear exactly what we mean.

Every person who has ever practiced law, every person who has ever acted as a prosecuting attorney, every person who has ever acted as defense attorney, every person who has ever practiced business law knows how extremely important it is that every statute and every contract should be clearly and specifically written so as to be understood clearly by all who are to be affected by it.

Mr. LANGER. He should have a bill of particulars.

Mr. O'MAHONEY. A bill of particulars. The Senator is quite right.

I read further:

If he deems it more effective, the Secretary may make any such designation by designating methods which are not in conformity with such policy.

What is the use of declaring the policy of the United States and then a little later in the bill saying that the Secretary of Agriculture, if he so desires, may designate methods of slaughter which are contrary to the policy set forth in the act?

Mr. DOUGLAS. Mr. President, is the Senator from Wyoming asking questions to which he wishes answers?

Mr. O'MAHONEY. I have learned from long experience that the best way to get a statement into the RECORD, and to set forth clearly the point which one wishes to make, is to pursue the statement and not permit interruptions which are sometimes—not by the Senator from Illinois, of course—designed to throw the speaker off the track. Knowing how skillful the Senator from Illinois is, I have decided that I shall make my statement first.

Mr. DOUGLAS. I may say that the Senator is already off the track, and I cannot help him any more.

Mr. O'MAHONEY. The Senator from Wyoming points to the silence in the Chamber as evidence of the fact that what he is saying is being understood by his colleagues. When I rose to make my statement the Chamber was a bedlam of conversation. Now Members of the Senate who have gathered here are paying me the compliment of listening to what I am saying. For that I thank them very much.

I have read the bill we are being asked to make a law. It has been demonstrated, as I said at the beginning, that the bill is vague and uncertain and declares a policy and then repeals the policy; that it states what humane methods of slaughter are, and then it states that the President may upset them; then it delegates to the Secretary of Agriculture the right to adopt other methods.

That is no way to legislate. If Congress wishes to put a law on the statute books the least it should do is to take the trouble to make up its mind as to what it wants to put on the statute

books. I say the measure before us is utterly unworthy of support by the Senate at this time.

I am not speaking upon the amendment offered by the Senator from New York [Mr. JAVITS] because that is obviously designed to clarify what the Senator from New York believes to be the unclear reference to the religious or ritualistic slaughter of animals. That in itself is an indication of the fact that the House sent to us a bill which is impossible of enforcement and which should not be enacted. I compliment the chairman of the Committee on Agriculture and Forestry and the members of the committee who supported him in reporting a proposed amendment. I feel very definitely that the pending measure, before the night is out, ought to be re-committed to the Committee on Agriculture and Forestry, where it should be studied by legislative experts who know their business, instead of by emotional persons, who merely say that something ought to be done in a practicable way to secure humane slaughter.

I am grateful for the attention which the Members of the Senate have given these few remarks of mine.

Mr. ANDERSON. Mr. President, I am interested in the bill from several standpoints, but I am particularly interested in the constant reference to the religious beliefs of individuals.

In the year 1919, I was appearing before the Legislature of the State of New Mexico as the director of the New Mexico Public Health Association, trying to have adopted a public health law. That law obviously contained provisions which were not satisfactory to everyone. The provision that a child must have a drop of a certain kind of medicine put in the eye at the time of birth was not satisfactory to the Christian Scientists; it was not completely satisfactory to the Archbishop of the Catholic Church. Therefore, there is always the problem of trying to meet the religious objections which may arise. One does his very best to meet them, and if he succeeds, he is fortunate.

The reason I have worried about these amendments is that I think it is unwise to walk into the middle of a religious controversy which the persons concerned have not been able in any way to solve by themselves.

I refer to certain testimony on page 192 of the hearings. I can understand why, with this language before him, the able Chairman of the Committee on Agriculture and Forestry [Mr. ELLENDER] was a little perplexed as to what he might do. At this point in the hearings Rabbi Sharfman was testifying. He said he was not acquainted with any of the nonkosher slaughtering houses. He continued:

I am acquainted, however, with kosher slaughtering houses, and I and my colleagues as well have seen the restraint that is utilized prior to the actual slaughter sometimes involves hoisting for a period of about 1 minute, something which could not be said to be inhumane.

The colloquy continued as follows:

The CHAIRMAN. And it is your contention that you would be prohibited from utilizing that method?

Mr. SHARFMAN. It is my contention, Senator, that it is up to the discretion of the Secretary of Agriculture. Any method could be prohibited on his say-so, according to the provisions of the bill. That is within his discretion.

The CHAIRMAN. I go back to the question I asked you a while ago. Is there a way by which language could be placed in this bill to entirely exempt you?

Mr. SHARFMAN. Our basic difficulty with this bill, Senator, goes even deeper than our concern as a Jewish—

The CHAIRMAN. I am not asking you that. I know that. I am asking you if there is any language that we can place in this bill that will entirely exempt you, irrespective of your feeling as to the other part of the bill?

Mr. SHARFMAN. We know of no such language at the present time.

Later the question arose again. The witness who was testifying began to talk about what ran contrary to section 6. The chairman said to him:

So that you as a lawyer don't know of any further language you could add to section 6 to make it certain that you would be entirely exempted?

Mr. BRENNGLASS. Not at the present time. We have given careful consideration—

The chairman then broke in and asked:

Will you give it study and let me know?

I understand that not further language was proposed to the chairman.

It seems to me that day after day, hour after hour, back in April, the members of the Committee on Agriculture and Forestry tried hard to have those people submit some language. If they did not like what was in the bill, they could have proposed other language. It is my understanding that until this very, afternoon, and this very late hour, no language has been suggested to the committee.

Now we are given language and are asked to accept it, and to take it to conference. The committee, in taking language to conference, will have to try to sustain the position taken by the Senate. That will mean it will be necessary to get the House to agree to it. Yet the members of the religious groups which were interested in this subject could not agree on the language among themselves. Why, then, should Members of the Senate and House try to force the proposal on any particular religious group?

The language in the bill, in my opinion, goes as far as it can go without offending one side or the other. Why any Member of the Senate should want to get into that kind of conflict is beyond me.

The Senator from Minnesota made a very definite statement a few minutes ago that provisions similar to those in the present language were adopted in 1956. There was no march on Washington then. The bill passed the Senate. I have never received, from a single person of the Jewish faith on one side or the other of the argument, any objection to the passage of that bill. There was no attempt to recall it or to stop the House from acting on it. The House bill was passed.

Mr. ELLENDER. The bill which was passed by the Senate was a study bill.

Mr. ANDERSON. Apparently the bill which was passed by the House contained this language.

Mr. ELLENDER. The Senate sent to the House a study bill, which was pigeonholed, and then, at this session, the House passed the unworkable bill which we are now considering.

Mr. ANDERSON. I thought the Senator from Minnesota said a bill was passed which included language of this nature in 1956.

Mr. ELLENDER. No; he was in error.

Mr. ANDERSON. I only say to the Senator that I know of no way by which we can satisfy everyone with that language. The House language, although the Senator from Wyoming [Mr. O'MAHONEY] has pointed out that it was not perfect, is at least language. I think if we start to tinker with the language, we may end where I assume certain people want us to end, by defeating the bill.

I have hoped that someday there might be a solution to the problem. The agitation has gone on for a long period of years.

Frankly, for a long time I was tremendously impressed with what the Senate tried to do to present a reasonable bill. But we apparently have got nowhere with it because of the agitation which has followed. I think we would be well advised to do what the Senator from Minnesota has suggested, get the persons who are interested to try to remedy the language and introduce a new element. I do not know where we will end, because the individuals who are involved do not seem to be able to agree among themselves.

On page 174 of the hearings at the end of the rather long statement which was presented by Mr. Isaac Lewin, in behalf of a large group, apparently, he said:

We sincerely hope that you will resist the heavy propaganda campaign instituted to enact this uncalled-for legislation and reject S. 1497 which must, if passed, only disturb the religious feelings, impair the religious practice, and deny the religious rights of millions of bona fide, loyal, and honorable citizens of the United States.

Was not S. 1497 the study bill?

Mr. ELLENDER. The only bill passed by the Senate, as I recall, was a study bill.

Mr. ANDERSON. Later, on the same page, a statement was filed by Rabbi Isaac Stollman, and Rabbi Isaac B. Rose, on behalf of the Religious Zionists of America. Their conclusion was:

Despite this very strong feeling for humanness in the treatment of animals, we must oppose the proposed humane slaughter bill now before the United States Senate Committee on Agriculture and Forestry, and specifically S. 1497 as amended, which is the companion bill of H. R. 8308.

If these differences of opinion exist, I think the best thing to do is to avoid them. I do not see any reason why we should want to vote for an amendment which apparently has not been endorsed by any of the religious groups. There is apparently no reason to believe that it would be accepted by anybody, unless it were for the sole purpose of killing the bill.

If there is a simpler method, it is simply to move to recommit the bill and to kill it. But under the circumstances, I think someone should come forward

with some validation of the language. The chairman of the committee, the very able Senator from Louisiana, asked repeatedly in the hearings if there was any suggestion of language. That condition existed from April 28 through April 29 and 30 and May 1, 1958, and has continued until the present time, or to within a few days of what I hope will be the end of the 85th Congress. No one has come forward in all that time with language that, so far as I know, has had the blessing of any of the rabbis who appeared and testified concerning the bill.

As to sending the bill to conference, I think that is work which the Committee on Agriculture and Forestry might be spared, because some of those who seem to want the language could not agree on it among themselves.

I hope the amendments will not be adopted.

Mr. JAVITS and Mr. MUNDT addressed the Chair.

The PRESIDING OFFICER. The Senator from New York.

Mr. JAVITS. Mr. President, it was my intention to sum up in about 2 minutes, and then to let the Senate proceed to vote, but obviously the Senator from South Dakota wishes to discuss the measure, so I shall defer to him.

Mr. President, I yield to the Senator from South Dakota, provided I do not lose my right to the floor.

Mr. MUNDT. Mr. President, I do not expect to address the Senate at length. I call attention to some erroneous impressions which may have been left after the discussion by the Senator from Minnesota [Mr. HUMPHREY] and the Senator from New Mexico [Mr. ANDERSON].

Somewhere in the remarks of each of them they said that the Senate, a year or so ago, had voted unanimously on identical language.

Mr. HUMPHREY. Oh, no.

Mr. President, will the Senator from South Dakota yield to me?

Mr. MUNDT. I yield.

Mr. HUMPHREY. Of course the measure contains an operative section which is enforceable. The language of the bill of 2 years ago was arrived at on the basis of a study proposal.

All I said was that the portion of the bill of 2 years ago which related to approving of kosher slaughtering as humane was the same as the corresponding provisions of this measure.

Mr. MUNDT. Ah. That is vastly different, because the portions which deal with religious slaughtering methods and the other portions to which the Senator from Minnesota has referred are parts or portions of the previous bill which were to be referred to a committee, which had the duty of finding an answer to the problem, and which proposed that a study be made.

Mr. ANDERSON. Mr. President, will the Senator from South Dakota yield to me?

Mr. HUMPHREY. Mr. President, will the Senator from South Dakota yield to me?

Mr. MUNDT. Mr. President, I am happy to yield to my colleagues, either individually or collectively.

Mr. HUMPHREY. If the Senator from South Dakota will yield first to

me, let me say that I was the author of the other bill; and that study bill, of 2 years ago, which called for a 5-year study period, contained the same provisions in regard to findings and study that are contained in the measure now before the Senate; and then the committee was asked to give consideration to further methods.

Mr. ANDERSON. Mr. President, will the Senator from South Dakota yield to me?

Mr. MUNDT. In just a moment.

The 1956 bill contains the following provision:

The committee shall, within 2 years after the enactment of this act, submit to the Secretary for immediate transmittal to the Congress a full and complete report of its study and operations, together with its recommendations for legislative and administrative action. The committee shall report and make specific recommendations on the adoption by the industry of humane methods of slaughtering, including the following:

And then the language is identical.

Mr. HUMPHREY. "Including the following."

Mr. MUNDT. Yes. But the measure we are asked to vote on today includes the following provision:

No method of slaughtering or handling in connection with slaughtering shall be deemed to comply with the public policy of the United States unless it is humane.

And then the pending measure contains a provision which is grammatically awkward, as has been stated by the Senator from Wyoming [Mr. O'MAHONEY], as follows:

Either of the following two methods of slaughtering and handling are hereby found to be humane.

That is vastly different from the proposal which was before us 2 years ago, for this provision of the pending measure makes a definite and a final finding.

Mr. ANDERSON. Mr. President, will the Senator from South Dakota yield?

Mr. MUNDT. I yield.

Mr. ANDERSON. I think the fault is mine, not that of the Senator from Minnesota. I thought he said that a finding was made in the other bill. But I believe I was wrong in so stating. So the Senator from Minnesota should not be hung for that error on my part. [Laughter.]

Mr. MUNDT. Mr. President, I do not want any Senator to be hung. [Laughter.]

But the Senate now has before it a proposal which is much different from the proposal which was before it 2 years ago.

Mr. HUMPHREY. There is no doubt of that.

All I said was that the bill of 2 years ago referred to accepted standards of humane slaughter, because that bill provided, in part, "adoption by the industry of humane methods of slaughtering, including the following."

And they were declared to be humane methods.

The question of the exact language to be used was one for the committee to decide.

Mr. MUNDT. Will the Senator from Minnesota read the language of the

bill of 2 years ago in which such words are to be found?

Mr. HUMPHREY. We did.

Mr. MUNDT. In the pending measure, we find, on page 2, in line 10, the following words:

Either of the following two methods of slaughtering and handling are hereby found to be humane.

Now will the Senator from Minnesota read the corresponding provision of the bill of 2 years ago?

Mr. HUMPHREY. Yes. That provision read as follows:

The committee shall report and make specific recommendations on the adoption by the industry of humane methods of slaughtering, including the following.

Mr. MUNDT. I am still waiting to hear the word "found."

Mr. HUMPHREY. When the bill of 2 years ago used the words "humane methods of slaughtering, including the following," they meant that the methods would be humane methods.

Mr. MUNDT. Not entirely. When the words are taken out of context, they may seem to mean that; but the rest of the paragraph, which the Senator from Minnesota did not read, is as follows:

The committee shall, within 2 years after the enactment of this act, submit to the Secretary for immediate transmittal to the Congress a full and complete report of its study and operations, together with its recommendations for legislative and administrative action.

Mr. HUMPHREY. That is correct.

Mr. MUNDT. And then follows the sentence the Senator from Minnesota did read, namely:

The committee shall report and make specific recommendations on the adoption by the industry of humane methods of slaughtering, including the following.

Mr. HUMPHREY. Yes.

Mr. MUNDT. But that provision does not make a finding. Nowhere in the bill of 2 years ago can there be found language which states specifically what the measure now before the Senate states on page 2, in line 10, namely:

Either of the following two methods of slaughtering and handling are hereby found to be humane:

Not even the great group of experts now operating on the floor of the Senate can point out, in the bill of 2 years ago, a provision which amounted to a finding. [Laughter.]

Mr. HICKENLOOPER. Mr. President, will the Senator from South Dakota yield to me?

Mr. MUNDT. I yield.

Mr. HICKENLOOPER. Of course, the pending measure does not really provide for humane practices at all. A moment ago the Senator from Wyoming [Mr. O'MAHONEY] pointed out, in what I thought was a devastating argument, many of the weaknesses of this measure; and the Senator from South Dakota will find the following language in section 4, subsection (b), on page 4, beginning in line 17:

If he deems it more effective, the Secretary may make any such designation by designating methods which are not in conformity with such policy.

So in one place the pending measure provides that the policy shall be one for humane slaughter; but I take it that the language I have just now read from page 4 means that the Secretary can designate methods which will be unhumane or inhumane, if he wishes to do so or if he thinks such methods would be "more effective."

Mr. MUNDT. Mr. President, the Senator from Iowa is entirely correct. It is rather astonishing, to me, that the Senator from Minnesota, who on many occasions has such scant regard for the findings, deliberations, and programs of the Secretary of Agriculture, would now endorse a measure which provides that whatever the Secretary of Agriculture may find to be "more effective" will be acceptable.

Mr. HICKENLOOPER. No; the amendment in the nature of a substitute says that the policy designated on page 2, namely:

It is therefore declared to be the policy of the United States that the slaughtering of livestock and the handling of livestock in connection with slaughter shall be carried out only by humane methods.

Does not need to be followed by the Secretary of Agriculture if he finds another policy which he "deems more effective."

Mr. MUNDT. Yes. In other words, the policy set forth on page 2 would be utterly meaningless as a legislative device. In short, the policy section on pages 1 and 2 is completely meaningless, because all of it is wiped out by the exemption clause found on page 4, beginning in line 17, which the Senator from Iowa has read to us just now, namely:

If he deems it more effective, the Secretary may make any such designation by designating methods which are not in conformity with such policy.

So why try to spell out the policy so meticulously, so that the Orthodox groups will be satisfied, when on page 4 the Secretary of Agriculture is told that the animals may be slaughtered in any way not in conformity with that policy.

If the Senator has a valid fear—and I think he has—I do not think he should engage in the legislative deception of trying to make persons who are afraid feel comfortable, when the proposed legislation would do nothing more than attempt to allay their fears.

Mr. CURTIS. Mr. President, will the Senator from South Dakota yield to me?

Mr. MUNDT. I yield.

Mr. CURTIS. In reference to the language of the pending bill, which gives the Secretary authority to designate methods contrary to the methods called for by the policy laid down on pages 1 and 2, let me ask whether there is any requirement that such designation be uniform for all slaughtering plants; or may the Secretary of Agriculture pick and choose, according to the size of the plants, their geographical location, or any other device which he might determine to use? In other words, does not the pending measure give the Secretary of Agriculture complete authority to

make any designation which might happen to come into his mind?

Mr. MUNDT. That is correct, for it does not provide any limitations in that connection. It simply points out—not that he may make designations which are in conformity with the policy provided on pages 1 and 2, but that "the Secretary may make any such designation by designating methods which are not in conformity with such policy."

That is a strange legislative device which would give the Secretary the power to veto the act at any month or day or hour he might wish to veto it.

Mr. CURTIS. Might not the Secretary designate one method for plant A, and another method for plant B?

Mr. MUNDT. Nothing provided in the bill would prevent him from doing so.

Mr. CURTIS. Because the bill states that he may proceed in both directions at the same time—in other words, that he may conform to the policy, and also that he "may make any such designation by designating methods which are not in conformity with such policy."

Mr. MUNDT. That is correct.

Mr. LANGER. Mr. President, will the Senator from South Dakota yield to me?

Mr. MUNDT. I yield.

Mr. LANGER. In other words, if the Secretary approved the killing of a cow by the use of a sword, that method would be acceptable under the provisions of the bill; is that correct?

Mr. MUNDT. That is correct; the Secretary would have that power.

Mr. President, I shall not proceed further; but I wish the RECORD to show clearly that when the Senate voted—and voted unanimously—on Senate bill 1636, in 1956 as compared to the measure on which it is now proposed that the Senate vote, the Senate was dealing with an entirely different piece of proposed legislation in connection with slaughtering by commercial methods and also slaughtering under ritualistic practices.

Mr. President, I favor humane slaughtering legislation. I shall vote for it. But I want it to be effective, reasonable, and workable. The bill we now have before us leaves much to be desired.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD, so that those who read can clearly see the difference between the two legislative proposals, Senate bill 1636, of 1956, and the amendment, in the nature of a substitute, to House bill 8308, as now before the Senate.

There being no objection, the bill and the amendment were ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That the Congress finds that the use of humane methods in the slaughter of livestock and poultry prevents needless suffering; results in safer and better working conditions for persons engaged in the slaughtering industry; brings about improvement of products and economies in slaughtering operations; and produces other benefits for producers, processors, and consumers which tend to increase the orderly flow of livestock and poultry and their products in interstate and foreign commerce. It is therefore declared to be the policy of Congress to provide for study and research into improved methods of slaughter to encourage acceptance and use of such methods by

slaughterers, to the end that livestock and poultry shall be slaughtered only by humane methods.

SEC. 2. The Secretary of Agriculture is authorized and directed to appoint an Advisory and Research Committee on Humane Slaughter of Livestock and Poultry, to be composed of 10 members, of whom 1 shall be an officer or employee of the Department of Agriculture designated by the Secretary, 2 shall be representatives of national organizations of slaughterers; 1 shall be a representative of the trade-union movement engaged in packinghouse work; 1 shall be a representative of the general public; 2 shall be representatives of livestock growers; 2 shall be representatives of national organizations of the humane movement, and 1 shall be a person familiar with the requirements of the Jewish religious faith with respect to slaughter.

SEC. 3. The Committee shall advise the Secretary on matters concerned with humane methods of slaughter and shall conduct a study of methods of slaughter of livestock and poultry, including means and methods of handling prior to slaughter, with the objective of improving and bringing about acceptance of more efficient and more humane methods of handling and slaughter and bringing such methods to the attention of slaughterers. The Department of Agriculture shall assist the Committee with such research personnel and facilities as the Department can make available.

SEC. 4. The Committee member who is an officer or employee of the Department of Agriculture shall receive no additional compensation for service rendered under this act. Other members shall receive such compensation, not in excess of \$50 for each day of service, as the Secretary shall prescribe.

SEC. 5. The Committee shall, within 2 years after the enactment of this act, submit to the Secretary for immediate transmittal to the Congress a full and complete report of its study and operations, together with its recommendations for legislative and administrative action. The Committee shall report and make specific recommendations on the adoption by the industry of humane methods of slaughtering, including the following:

(1) in the case of livestock, rendering such livestock insensible before bleeding or slaughtering, by mechanical, electrical, chemical, or other means determined by the Secretary to be rapid, effective, and humane;

(2) in the case of poultry, instantaneous severing of the head from the body or, if poultry is otherwise cut or stuck, by first rendering such poultry insensible by mechanical, electrical, chemical, or other means determined by the Secretary to be rapid, effective, and humane;

(3) in either of the above cases, slaughtering in accordance with the practices and requirements of the Jewish religious faith by a qualified slaughterer, commonly called a *schochet*, authorized to engage in such slaughtering by an ordained rabbi of the Jewish religious faith.

The Committee shall also, from time to time, submit to the Secretary for immediate transmittal to Congress such interim reports and recommendations as it deems fit.

Strike out all after the enacting clause and insert in lieu thereof the following:

"That the Congress finds that the use of humane methods in the slaughter of livestock prevents needless suffering; results in safer and better working conditions for persons engaged in the slaughtering industry; brings about improvement of products and economies in slaughtering operations; and produces other benefits for producers, processors, and consumers which tend to expedite an orderly flow of livestock and livestock products in interstate and foreign commerce. It is therefore declared to be the policy of the United States that the

slaughtering of livestock and the handling of livestock in connection with slaughter shall be carried out only by humane methods.

"SEC. 2. No method of slaughtering or handling in connection with slaughtering shall be deemed to comply with the public policy of the United States unless it is humane. Either of the following two methods of slaughtering and handling are hereby found to be humane:

"(a) in the case of cattle, calves, horses, mules, sheep, swine, and other livestock, all animals are rendered insensible to pain by a single blow or gunshot or an electrical, chemical, or other means that is rapid and effective, before being shackled, hoisted, thrown, cast, or cut; or

"(b) by slaughtering in accordance with the ritual requirement of the Jewish faith or any other religious faith that prescribes a method of slaughter whereby the animal suffers loss of consciousness by anemia of the brain caused by the simultaneous and instantaneous severance of the carotid arteries with a sharp instrument.

"SEC. 3. The public policy declared herein shall be taken into consideration by all agencies of the Federal Government in connection with all procurement and price support programs and operations and after December 31, 1959, no agency or instrumentality of the United States shall contract for or procure any livestock products produced or processed by any slaughterer or processor which in any of its plants or in any plants of any slaughterer or processor with which it is affiliated slaughters or handles in connection with slaughter livestock by any method other than methods designated and approved by the Secretary of Agriculture (hereinafter referred to as the Secretary) pursuant to section 4 hereof: *Provided*, That during the period of any national emergency declared by the President or the Congress, the limitations on procurement required by this section may be modified by the President to the extent determined by him to be necessary to meet essential procurement needs during such emergency. For the purposes of this section a slaughterer or processor shall be deemed to be affiliated with another slaughterer or processor if it controls, is controlled by, or is under common control with, such other slaughterer or processor. After December 31, 1959, each supplier from which any livestock products are procured by any agency of the Federal Government shall be required by such agency to make such statement of eligibility under this section to supply such livestock products as, if false, will subject the maker thereof to prosecution, title 18, United States Code, section 287.

"SEC. 4. In furtherance of the policy expressed herein the Secretary is authorized and directed—

"(a) to conduct, assist, and foster research, investigation, and experimentation to develop and determine methods of slaughter and the handling of livestock in connection with slaughter which are practicable with reference to the speed and scope of slaughtering operations and humane with reference to other existing methods and then current scientific knowledge;

"(b) on or before June 30, 1958, and at such times thereafter as he deems advisable, to designate methods of slaughter and of handling in connection with slaughter which, with respect to each species of livestock, conform to the policy stated herein. If he deems it more effective, the Secretary may make any such designation by designating methods which are not in conformity with such policy. Designations by the Secretary subsequent to July 1, 1959, shall become effective for purposes of section 3 hereof 180 days after their publication in the Federal Register;

"(c) to provide suitable means of identifying the carcasses of animals inspected and passed under the Meat Inspection Act (21 U. S. C. 71 and the following) that have been slaughtered in accordance with the public policy declared herein.

"SEC. 5. To assist in implementing the provisions of section 4, the Secretary is authorized to establish an advisory committee. The functions of the advisory committee shall be to consult with the Secretary and other appropriate officials of the Department of Agriculture and to make recommendations relative to (a) the research authorized in section 4; (b) obtaining the cooperation of the public, producers, farm organizations, industry groups, humane associations, and Federal and State agencies in the furtherance of such research and the adoption of improved methods; and (c) the designations required by section 4. The committee shall be composed of 12 members, of whom 1 shall be an officer or employee of the Department of Agriculture designated by the Secretary (who shall serve as chairman); 2 shall be representatives of national organizations of slaughterers; 1 shall be a representative of the trade-union movement engaged in packinghouse work; 1 shall be a representative of the general public; 2 shall be representatives of livestock growers; 1 shall be a representative of the poultry industry; 2 shall be representatives of national organizations of the humane movement; 1 shall be a representative of a national professional veterinary organization; and 1 shall be a person familiar with the requirements of religious faiths with respect to slaughter. The Department of Agriculture shall assist the Committee with such research personnel and facilities as the Department can make available. Committee members other than the Chairman shall not be deemed to be employees of the United States and are not entitled to compensation but the Secretary is authorized to allow their travel expenses and subsistence expenses in connection with their attendance at regular or special meetings of the Committee. The Committee shall meet at least once each year and at the call of the Secretary and shall from time to time submit to the Secretary such reports and recommendations with respect to new or improved methods as it believes should be taken into consideration by him in making the designations required by section 4 and the Secretary shall make all such reports available to the public.

"SEC. 6. Nothing in this act shall be construed to prohibit, abridge, or in any way hinder the religious freedom of any person or group to slaughter and prepare for the slaughter of livestock in conformity with the practices and requirements of his religion."

Mr. JAVITS. Mr. President, I promise to detain the Senate but 2 minutes, merely to sum up the situation. It is alleged that a discussion with respect to religious freedom is being introduced into this debate. That has been one of the allegations made in response to my amendment. I point out this question is already raised very specifically by the bill which is before the Senate, which came from the other body, and which the Senate voted to accept because it provides in section 2 (b), "by slaughtering in accordance with the ritual requirements of the Jewish faith or any other religious faith that prescribes a method of slaughter."

In short, the question is before us. I did not wish it to be here. It is here.

Second, it is argued that the language to deal with the situation was not before

the Committee on Agriculture and Forestry. I point out the fundamental tenet of those who were against this whole method of approach prevented them from making any suggestion. They said they were flatly opposed. As a matter of fact, those who drafted the language thought they were drafting language which would help those groups, because they could not get a proposal in terms of language from them.

Now we are in the last stages of the legislative process, where those who have expressed the deep convictions of their faith are now face to face with the need to do something about it in specific terms. What I am trying to do by my amendment is to preserve their opportunity to do so.

Finally, I point out the obviously good faith involved. If Senators wish to consider the Jewish ritualistic slaughter as humane, then the question must be dealt with in all its manifestations in the way the slaughtering is practiced. The record shows that, as practiced, there is involved the process not only of slaughtering and preparation, but of handling.

In order to preserve the positions of those groups, so they could have the best protection Congress could provide—and I think that feeling is inherent in the heart of everyone here—I felt I should keep the door open by introducing this alternative. Since we are dealing with sensitive ground, let us afford every opportunity to ameliorate the force of the blow.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JAVITS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment of the Senator from New York [Mr. JAVITS].

Mr. JAVITS. Mr. President, I ask for a division on my amendment.

On a division, the amendment was agreed to.

Mr. CASE of New Jersey. Mr. President, I call up my amendment, which is at the desk, and ask to have it stated.

The PRESIDING OFFICER. The amendment of the Senator from New Jersey will be stated.

The CHIEF CLERK. It is proposed, on page 6, beginning with line 14, to strike out all down through line 18 and insert in lieu thereof the following:

SEC. 6. Nothing in this act shall be construed to prohibit, abridge, or in any way hinder the religious freedom of any person or group. Notwithstanding any other provision of this act, in order to protect freedom of religion, retail slaughter and the handling or other preparation of livestock for retail slaughter, are exempted from the terms of this act. For the purposes of this section the term "retail slaughter" means slaughter in accordance with section 2 (b).

Mr. CASE of New Jersey. Mr. President, I do not think it is necessary to speak at any length on this amendment. As was stated earlier in the discussion

of the amendment of the Senator from New York, it is intended to accomplish precisely the same purpose and to have the same effect. I think it is desirable to have this amendment in section 6, because section 6 as it now stands is somewhat inconsistent within itself. I think the amendment clarifies the inconsistency. I hope it will be acceptable.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. CASE of New Jersey. I yield.

Mr. HUMPHREY. I wish only to say to the Senator from New Jersey, so he may be aware of the attitude of the religious groups, that this is exactly the same language which the representatives of Jewish faiths opposed. They do not want the exemption. The record of 1956 as well as 1958 is clear. That is one matter on which all groups, whether orthodox or otherwise, are agreed. As pointed out by the Senator from New Mexico [Mr. ANDERSON], this is the very language they did not want.

I personally shall have to vote against the amendment, because all the testimony was contrary to this type of exemption. I think it would be a great disservice to the people of Jewish faith and to all those who supported or proposed the bill, because there was a unanimity of belief that there should not be such a provision.

Mr. CASE of New Jersey. I appreciate the viewpoint expressed by the Senator from Minnesota. I think the situation really is that the groups in question prefer to have no bill at all; but, as the Senator from New York has pointed out, since we are faced with the bill, as the result of the vote taken earlier on the motion of the Senator from Louisiana, the problem with which we are confronted is making the bill as acceptable as possible and have it accomplish its objectives, but not do violence to the views of particular religious groups.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. CASE of New Jersey. I yield to the Senator from New York.

Mr. JAVITS. I should like to state to the Senator from Minnesota that I appreciate the concern expressed by him. He has certainly shown his friendship to this effort by his vote on my amendment. At the same time, I feel the other body saw fit to try to button this matter up in two sections. I think the amendment of the Senator from New Jersey is an additional contribution the Senate can make to the quieting of concern in the same section. Again I point out, just as I felt the language I proposed was not the height of art in terms of legal draftsmanship, the same may be said of the proposal of the distinguished Senator from New Jersey, except it permits the matter to be susceptible of resolution in the final form to be adopted in conference. Therefore, for those reasons, rather than for reasons of concern which the Senator from Minnesota expresses, I shall support the amendment. I feel the more we can take to conference, the better we can deal with the question. I felt that way about my amendment. I say that respectfully. I hope very much the Senator from Min-

nesota may feel the same way, in view of the explanation of my position.

Mr. CASE of New Jersey. I thank the Senator. I yield to the Senator from West Virginia [Mr. REVERCOMB].

Mr. REVERCOMB. For clarification, I should like to ask a question. Does not in fact the amendment of the Senator from New York [Mr. JAVITS], which has been agreed to and is now written into the bill, really solve the problem which the Senator from New Jersey proposes to solve by his amendment?

Mr. CASE of New Jersey. I may say to the Senator from West Virginia: If section 6 were not in the bill, then I think his suggestion might be very well made, indeed, but section 6 is in the bill. Section 6 is in the bill in a form which raises the possibility of a distinction between ritual slaughter, which relates only to the actual act of killing, and to preparation, which is necessary. I think the amendment would constitute a clarification. It could be taken to conference, where, perhaps, some further clarification, as suggested by the Senator from New York, could be made.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Jersey [Mr. CASE]. [Putting the question.]

Mr. HUMPHREY. Mr. President, I ask for a division.

The Senate proceeded to divide.

Mr. HUMPHREY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CASE of New Jersey. Mr. President—

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. CASE of New Jersey. In view of the fact that the absence of a quorum has been suggested, although I had not originally intended to detain the Senate, I now ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. The Parliamentarian informs the Chair that the order for the quorum call either must be rescinded or the call of the roll must be completed before the yeas and nays can be requested or before there can be other debate.

Mr. CASE of New Jersey. Mr. President, if there is no objection—

Mr. HUMPHREY. Mr. President, since I suggested the absence of a quorum, I am willing to ask unanimous consent to have the order for the quorum call rescinded.

Mr. KNOWLAND. Mr. President, I suggest that the clerk finish the call of the roll.

The legislative clerk resumed and concluded the call of the roll, and the following Senators answered to their names:

Aiken	Bridges	Chavez
Allott	Bush	Church
Anderson	Butler	Clark
Barrett	Byrd	Cooper
Beall	Capehart	Cotton
Bennett	Carlson	Curtis
Bible	Carroll	Dirksen
Bricker	Case, N. J.	Douglas

Dworshak	Kefauver	Pastore
Eastland	Kennedy	Potter
Ellender	Kerr	Proxmire
Ervin	Knowland	Purtell
Fulbright	Kuchel	Revercomb
Goldwater	Langer	Robertson
Green	Lausche	Russell
Hayden	Long	Saltonstail
Hennings	Magnuson	Schoeppel
Hickenlooper	Malone	Smathers
Hill	Mansfield	Smith, Maine
Hruska	Martin, Iowa	Sparkman
Humphrey	Martin, Pa.	Stennis
Ives	McNamara	Symington
Jackson	Morse	Thurmond
Javits	Morton	Thye
Jenner	Mundt	Watkins
Johnson, Tex.	Murray	Wiley
Johnston, S. C.	Neuberger	Williams
Jordan	O'Mahoney	Young

The PRESIDING OFFICER. A quorum is present.

The question is on agreeing to the amendment offered by the Senator from New Jersey [Mr. CASE].

Mr. CASE of New Jersey. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. CASE of New Jersey. I yield to the Senator from New York [Mr. JAVITS] for the purpose of making a brief statement.

Mr. JAVITS. Mr. President, in browsing through the record of hearings—and I do not pretend to be an expert on it—I came across something which may help the Senate in connection with this discussion. I have already explained my position. I feel that the amendment gives us yet another tool with which to work in the effort to put this particular aspect of the bill in proper form. That is why I am for the amendment.

One page 196 of the record I find the following statement by the chairman of the committee:

The CHAIRMAN. I realize that there may not be a close comparison between the act which we passed here last year to provide for the compulsory inspection by the United States Department of Agriculture of poultry and poultry products. As I remember there was some opposition by quite a few rabbis, and yet we were able to place in this bill a provision which exempted these opponents. I refer specifically to section 15 (a) (4), wherein it is stated:

"Persons slaughtering, processing, or otherwise handling poultry or poultry products which have been or are to be processed as required by recognized religious dietary laws to the extent that the Secretary determines are necessary to avoid conflict with such requirements while still effectuating the purposes of this act."

I call attention to that only because apparently there is a legislative precedent for dealing with the subject by way of exemption. As I understand, that is the principal ground of opposition to the language which the Senator from New Jersey uses in his amendment. I have no doubt that the language will be changed in conference. What I tried to do, and what the Senator from New Jersey is trying to do, is to give the conferees the tools with which to work.

Mr. CASE of New Jersey. Mr. President, reiterating the point made just now by the Senator from New York, first of all, let me say that I support the bill. I voted against the motion of the Senator from Louisiana because I do support the bill. However, I do not believe

in leaving any of its provisions in a fuzzy condition. I believe in trying to clarify the language and make it perfectly clear. In line with the suggestion of the Senator from Wyoming [Mr. O'MAHONEY] made a little earlier, the language of my amendment may not be perfect for that purpose, but it raises the question in such form that the conferees can deal with the entire subject.

Mr. HUMPHREY. Mr. President, I gather that it is a dubious honor to say that one Senator has spent more time on the bill than other Members of this body. However, it has been my fortune or misfortune to have that dubious honor.

Every representative of every single religious group or body who appeared before our committee protested against exemption. The Jewish groups, in testimony before the committee, outlined the principle that kosher killing could be classified as a humane slaughtering practice within the terms of what we mean by "humane slaughtering." It has been so declared, in an affirmative finding. The amendment of the Senator from New York [Mr. JAVITS] was agreed to, so that in that affirmative finding there will be included not only the matter of slaughtering, but the matter of preparation and handling. That amendment had a purpose which filled a vacuum which was left by the House bill, as the Senator from New York said.

However, in this instance, I say most respectfully to a Senator who supports the legislation, who has proved his sincerity of purpose, and who has been a friend of the program of humane slaughtering practices, that, whether knowingly or unknowingly, he has offered an amendment which might be interpreted by some of our people who are deeply concerned by this legislation as an affront. They do not seek an exemption. They have every right to say that kosher killing is within the terms of what we understand by humane slaughtering. We have so found by declaration. But the exemption would be a disservice to the Jewish community and its religious practices. I plead with my colleagues to consider this question very carefully. I have talked with representatives of every single group interested in this particular item of legislation. So far as the exemption is concerned, I warn my colleagues that if they are interested in trying to comply with the request of honorable people who seek not to be injured, who seek no special privilege, and who seek to be let alone, they should leave the language of section 6 as written, or they will get themselves into deep water.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. LAUSCHE. We would be treading upon dangerous ground if in any way we were to imply that compliance by the Jewish people with their ritual was tantamount to cruelty to animals, or to anyone else.

Mr. HUMPHREY. The Senator is absolutely correct.

Mr. LAUSCHE. We must begin with the premise that what they have done is in conformity with goodness, and with

gentle treatment of living things, and that their religion has been founded on that basis.

I, for one, will not subscribe to the inclusion in the bill of any provisions which would declare that their practices have been inhumane, having in mind the historic background of their ritual, which contemplates men of good character, of cleanliness, of decency, and men with a sense of protection toward the things which they destroy for food.

Mr. HUMPHREY. The Senator from Ohio has stated the situation much more eloquently than I could.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Jersey [Mr. CASE]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Tennessee [Mr. GORE], the Senator from Florida [Mr. HOLLAND], the Senator from Michigan [Mr. McNAMARA], the Senator from Georgia [Mr. TALMADGE], and the Senator from Texas [Mr. YARBOROUGH] are absent on official business.

The Senator from Delaware [Mr. FREAR], and the Senator from Oklahoma [Mr. MONRONEY] are absent on official business attending the 49th Congress of the Interparliamentary Union as delegates representing the Senate at Rio de Janeiro, Brazil.

The Senator from Arkansas [Mr. McCLELLAN] is absent because of a death in his family.

I further announce, that if present and voting, the Senator from Florida [Mr. HOLLAND] and the Senator from Georgia [Mr. TALMADGE] would each vote "yea."

Mr. DIRKSEN. I announce that the Senator from South Dakota [Mr. CASE] and the Senator from West Virginia [Mr. HOBLITZELL] are absent because of official business having been appointed by the Vice President to attend the 49th Congress of the Interparliamentary Union in Rio de Janeiro.

The Senator from Maine [Mr. PAYNE] is necessarily absent.

The Senator from Vermont [Mr. FLANDERS], the Senator from Pennsylvania [Mr. MARTIN], and the Senator from New Jersey [Mr. SMITH] are detained on official business.

The Senator from New Jersey [Mr. SMITH] is paired with the Senator from Maine [Mr. PAYNE]. If present and voting, the Senator from New Jersey would vote "yea," and the Senator from Maine would vote "nay."

The result was announced—yeas 44, nays 38, as follows:

YEAS—44

Aiken	Dirksen	Martin, Iowa
Allott	Dworshak	Morton
Barrett	Ellender	Mundt
Beall	Goldwater	Pastore
Bennett	Hickenlooper	Potter
Bricker	Hruska	Revercomb
Bridges	Ives	Russell
Bush	Javits	Saltonstail
Butler	Jenner	Schoeppel
Capehart	Johnston, S. C.	Thurmond
Carison	Jordan	Thye
Case, N. J.	Knowland	Watkins
Cooper	Kuchel	Wiley
Cotton	Langer	Young
Curtis	Malone	

NAYS—38

Anderson	Hennings	Murray
Bible	Hill	Neuberger
Byrd	Humphrey	O'Mahoney
Carroll	Jackson	Proxmire
Chavez	Johnson, Tex.	Purtell
Church	Kefauver	Robertson
Clark	Kennedy	Smathers
Douglas	Kerr	Smith, Maine
Eastland	Lausche	Sparkman
Ervin	Long	Stennis
Fulbright	Magnuson	Symington
Green	Mansfield	Williams
Hayden	Morse	

NOT VOTING—14

Case, S. Dak.	Holland	Payne
Flanders	Martin, Pa.	Smith, N. J.
Frear	McClellan	Talmadge
Gore	McNamara	Yarborough
Hoblitzell	Monroney	

So the amendment of Mr. CASE of New Jersey was agreed to.

Mr. O'MAHONEY. Mr. President, for the reasons—

Mr. CASE of New Jersey. Mr. President, I move that the Senate reconsider the vote—

Mr. O'MAHONEY. Mr. President—

The PRESIDING OFFICER. The Senator from Wyoming has the floor.

Mr. O'MAHONEY. Mr. President, for the reasons I have previously stated this afternoon, I move that the bill be recommitted to the Committee on Agriculture and Forestry. It is impossible to legislate a slogan. The bill before us is vague and uncertain and contradictory. It does not define what humane slaughter is. The bill should be recommitted so that it may be drafted intelligently and clearly. I make that motion.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Wyoming.

Mr. O'MAHONEY. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

SEVERAL SENATORS. Vote! Vote! Vote!

Mr. HUMPHREY. Mr. President, regardless of how one may feel about the bill, to vote to recommit is, of course, to kill the bill. We can have the bill in conference with the amendments which have been adopted, and we should permit it to go to conference. The bill has been studied for 3 years. Regardless of the eloquent plea of the distinguished Senator from Wyoming, I do not recall any testimony from some of the Senators who have complained about the bill. I can say most candidly that the bill has had the very careful study of the Department of Agriculture, humane societies, the American Meat Institute, and other organizations. It represents considerable thought and considerable action. The House passed the bill overwhelmingly. It had conducted hearings in the field. We ought to let the bill go to conference.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Wyoming [Mr. O'MAHONEY] on which the yeas and nays have been ordered.

Mr. LAUSCHE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Ohio will state it.

Mr. LAUSCHE. As to the amendments which have thus far been adopted, if the bill goes to conference, will the

conferees have the power to define what is inhumane slaughter, so as to provide in the bill the principal objective which was sought to be accomplished when the bill was introduced?

The PRESIDING OFFICER. The Chair is advised by the Parliamentarian that the conferees will be confined to the difference between the House and Senate bills. Therefore, the answer is that the conferees will not be in a position to make such a definition.

Mr. MUNDT. Mr. President, I do not want to leave unanswered in the RECORD the statement that a vote to recommit is a vote to kill the bill. As one member of the committee who attended the hearings, I can say that if the bill is recommitted to the Committee on Agriculture and Forestry, the committee certainly will be bound to try to reconcile the various conflicting points of view which we have heard expressed in the Senate tonight, and to arrive at a solution which will move in the direction of humane slaughter.

I do not think a vote to recommit is a vote to kill the bill. It would be a vote to kill this particular language.

Mr. HUMPHREY. Mr. President, the reconciliation of the different points of view will be done in conference.

The PRESIDING OFFICER. The question is on the motion to recommit the bill. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Tennessee [Mr. GORE], the Senator from Alabama [Mr. HILL], the Senator from Florida [Mr. HOLLAND], the Senator from Georgia [Mr. TALMADGE], and the Senator from Texas [Mr. YARBOROUGH] are absent on official business.

The Senator from Delaware [Mr. FREAR] and the Senator from Oklahoma [Mr. MONRONEY] are absent on official business attending the 49th Congress of the Interparliamentary Union as delegates representing the Senate at Rio de Janeiro, Brazil. The Senator from Arkansas [Mr. McCLELLAN] is absent because of a death in his family.

I further announce that if present and voting, the Senator from Delaware [Mr. FREAR] and the Senator from Texas [Mr. YARBOROUGH] would each vote "nay."

On this vote, the Senator from Alabama [Mr. HILL] is paired with the Senator from Florida [Mr. HOLLAND]. If present and voting, the Senator from Alabama would vote "nay" and the Senator from Florida would vote "yea."

The Senator from Oklahoma [Mr. MONRONEY] is paired with the Senator from Georgia [Mr. TALMADGE]. If present and voting, the Senator from Oklahoma would vote "nay" and the Senator from Georgia would vote "yea."

Mr. DIRKSEN. I announce that the Senator from South Dakota [Mr. CASE] and the Senator from West Virginia [Mr. HOBLITZELL] are absent because of official business having been appointed by the Vice President to attend the 49th Congress of the Interparliamentary Union in Rio de Janeiro.

The Senator from Maine [Mr. PAYNE] is necessarily absent.

The Senator from Vermont [Mr. FLANDERS], the Senator from Pennsylvania [Mr. MARTIN], and the Senator from New Jersey [Mr. SMITH] are detained on official business.

If present and voting, the Senator from Maine [Mr. PAYNE] and the Senator from New Jersey [Mr. SMITH] would each vote "nay."

The result was announced—yeas 29, nays 53, as follows:

YEAS—29

Allott	Eastland	Martin, Iowa
Anderson	Ellender	Mundt
Barrett	Ervin	O'Mahoney
Bennett	Goldwater	Russell
Butler	Hickenlooper	Schoeppel
Capehart	Hruska	Stennis
Carlson	Jenner	Thurmond
Chavez	Johnston, S. C.	Thye
Curtis	Langer	Young
Dirksen	Malone	

NAYS—53

Aiken	Hennings	Morton
Beall	Humphrey	Murray
Bible	Ives	Neuberger
Bricker	Jackson	Pastore
Bridges	Javits	Potter
Bush	Johnson, Tex.	Proxmire
Byrd	Jordan	Purtell
Carroll	Kefauver	Revercomb
Case, N. J.	Kennedy	Robertson
Church	Kerr	Saltonstall
Clark	Knowland	Smathers
Cooper	Kuchel	Smith, Maine
Cotton	Lausche	Sparkman
Douglas	Long	Symington
Dworshak	Magnuson	Watkins
Fulbright	Mansfield	Wiley
Green	McNamara	Williams
Hayden	Morse	

NOT VOTING—14

Case, S. Dak.	Hoblitzell	Payne
Flanders	Holland	Smith, N. J.
Frear	Martin, Pa.	Talmadge
Gore	McClellan	Yarborough
Hill	McMonroney	

So Mr. O'MAHONEY's motion to recommit was rejected.

Mr. HUMPHREY. Mr. President, I move to reconsider the vote by which the motion to reconsider was rejected.

Mr. NEUBERGER. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The bill is open to amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The question is on the passage of the bill. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD. I announce that the Senator from Tennessee [Mr. GORE], the Senator from Alabama [Mr. HILL], the Senator from Florida [Mr. HOLLAND], the Senator from Montana [Mr. MURRAY], and the Senator from Texas [Mr. YARBOROUGH] are absent on official business.

The Senator from Delaware [Mr. FREAR] and the Senator from Oklahoma [Mr. MONRONEY] are absent on official

business attending the 49th Congress of the Interparliamentary Union as delegates representing the Senate at Rio de Janeiro, Brazil.

The Senator from Arkansas [Mr. McCLELLAN] is absent because of a death in his family.

I further announce that, if present and voting, the Senator from Delaware [Mr. FREAR], the Senator from Oklahoma [Mr. MONRONEY], the Senator from Montana [Mr. MURRAY], and the Senator from Texas [Mr. YARBOROUGH] would each vote "yea."

On this vote, the Senator from Alabama [Mr. HILL], is paired with the Senator from Florida [Mr. HOLLAND]. If present and voting, the Senator from Alabama would vote "yea," and the Senator from Florida would vote "nay."

Mr. DIRKSEN. I announce that the Senator from South Dakota [Mr. CASE] and the Senator from West Virginia [Mr. HOBLITZELL] are absent because of official business having been appointed by the Vice President to attend the 49th Congress of the Interparliamentary Union in Rio de Janeiro.

The Senator from Maine [Mr. PAYNE] is necessarily absent.

The Senator from New Hampshire [Mr. BRIDGES], the Senator from Vermont [Mr. FLANDERS], the Senator from Pennsylvania [Mr. MARTIN], and the Senator from New Jersey [Mr. SMITH] are detained on official business.

If present and voting, the Senator from Vermont [Mr. FLANDERS], the Senator from West Virginia [Mr. HOBLITZELL], the Senator from Maine [Mr. PAYNE], and the Senator from New Jersey [Mr. SMITH] would each vote "yea."

The result was announced—yeas 72, nays 9, as follows:

YEAS—72

Aiken	Fulbright	Mansfield
Allott	Goldwater	Martin, Iowa
Anderson	Green	McNamara
Barrett	Hayden	Morse
Beall	Hennings	Morton
Bennett	Hickenlooper	Mundt
Bible	Hruska	Neuberger
Bricker	Humphrey	Pastore
Bush	Ives	Potter
Butler	Jackson	Proxmire
Byrd	Javits	Purtell
Capehart	Jenner	Revercomb
Carlson	Johnson, Tex.	Robertson
Carroll	Jordan	Russell
Case, N. J.	Kefauver	Saltonstall
Chavez	Kennedy	Schoeppel
Church	Kerr	Smathers
Clark	Knowland	Smith, Maine
Cooper	Kuchel	Sparkman
Cotton	Langer	Symington
Curtis	Lausche	Thye
Dirksen	Long	Watkins
Douglas	Magnuson	Wiley
Dworshak	Malone	Williams

NAYS—9

Eastland	Johnston, S. C.	Talmadge
Ellender	O'Mahoney	Thurmond
Ervin	Stennis	Young

NOT VOTING—15

Bridges	Hill	Monroney
Case, S. Dak.	Hoblitzell	Murray
Flanders	Holland	Payne
Frear	Martin, Pa.	Smith, N. J.
Gore	McClellan	Yarborough

So the bill (H. R. 8308) was passed.

Mr. HUMPHREY. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. NEUBERGER. Mr. President, I move to lay on the table the motion to reconsider the vote by which the bill was passed.

The PRESIDING OFFICER. The question is on agreeing to the motion to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

FEDERAL AID TO THE STATES FOR SCHOOL CONSTRUCTION

Mr. McNAMARA. Mr. President, I ask unanimous consent to have printed in the RECORD a statement by me on a program of Federal aid to the States for school construction.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR McNAMARA

An epidemic of adjournment fever seems to be settling over the Congress.

The main symptom of this fever is a deceptive mood of self-congratulation wherein the Members tell each other—and their constituents—what a great job they have done during the past months.

I would not like to puncture this mood—for, in a large sense, it is justified by the record of the 85th Congress.

However—that record will by no means be complete until the Congress takes care of an extremely important piece of unfinished business.

I refer specifically to a program of Federal aid to the States for school construction.

The Senate Labor and Public Welfare Committee currently is working on a program to grant 23,000 college scholarships a year.

Certainly, no one truly interested in American education can find fault with such a measure.

But the trouble is that it only nibbles at the edge of the main problem.

The problem, simply stated, is a continuing shortage of more than 140,000 classrooms—in the face of a constantly increasing population.

The problem involves a shortage of more than 30,000 teachers—and proper salaries for the ones we have.

What answer does a scholarship provide to the boy or girl who receives a substandard education because the school day is cut in half by double shifts?

What good is a scholarship program to a school district that simply does not have the funds available to build needed schools?

And how will scholarships help school districts pay their teachers a living wage?

These are the problems. Let us not be under any illusion that if we accept a scholarship program we are making any real strides toward improved American education.

Scholarships are a nice gesture, a nod in the right direction, but they are rapidly obscured by the magnitude of the real education problem. What we must have is a program that will help the States build the schools they so desperately need.

A truly meaningful program of Federal assistance to the States for education has been sought for years in the Congress. There has been too much talk and too little action.

I am seeking, within the Labor and Public Welfare Committee, to amend a true education assistance program to any so-called scholarship bill.

Falling within the committee, the fight will be carried to the floor of the Senate.

We speak often of the need to stand up and be counted on important issues.

I hope that my colleagues will soon have that opportunity to vote on a genuine education assistance program.

AVAILABILITY OF EQUITY CAPITAL AND LONG-TERM CREDIT TO SMALL-BUSINESS CONCERNS

Mr. FULBRIGHT. Mr. President, I ask that the Chair lay before the Senate the amendments of the House of Representatives to the bill S. 3651.

The PRESIDING OFFICER (Mr. PROXMIRE in the chair) laid before the Senate the amendments of the House of Representatives to the bill (S. 3651) to make equity capital and long-term credit more readily available for small-business concerns, and for other purposes, which were, on page 1, lines 3 and 4, strike out "purpose," and insert "policy,"; on page 2, strike out the table of contents in its entirety and insert:

TABLE OF CONTENTS

Title I—Short title, statement of policy, and definitions

SEC. 101. Short title.
SEC. 102. Statement of policy.
SEC. 103. Definitions.

Title II—Small Business Investment Division of the Small Business Administration

SEC. 201. Establishment of Small Business Investment Division.
SEC. 202. Provision and purposes of funds.

Title III—Small-business investment companies

SEC. 301. Organization of small business investment companies.
SEC. 302. Capital stock and subordinated debentures.
SEC. 303. Borrowing power.
SEC. 304. Provision of equity capital for small-business concerns.
SEC. 305. Long-term loans to small-business concerns.
SEC. 306. Aggregate limitations.
SEC. 307. Exemptions.
SEC. 308. Miscellaneous.
SEC. 309. Approving State chartered companies for operations under this act.

Title IV—Conversion of State chartered investment companies and State development companies

Title V—Loans to State and local development companies

Title VI—Changes in Federal Reserve authority

SEC. 601. Repeal of section 13b of the Federal Reserve Act.
SEC. 602. Transfer of funds.

Title VII—Criminal penalties

On page 3, line 11, strike out "(a)"; on page 3, strike out lines 16 and 17, and insert:

(3) the terms "small business investment companies", "company", "small business investment company", and "company organized under this act" mean a small business investment company or companies, chartered under State laws for the purpose of operating under this act and authorized by the Administration, as provided in title III, to operate under this act.

On page 3, line 23, strike out "of 1953" and insert "and"; on page 4, strike out lines 1 through 4, inclusive; on page 4, line 5, strike out "(7)" and insert "(6)"; on page 4, line 5, strike out "State and local"; on page 5, line 6, strike out "of 1953"; on page 5, line 6, strike out "209 and 219" and insert "13 and 16"; on page 5, strike out line 10 over through and including line 10 on page 7, and insert:

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued August 14, 1958
For actions of August 13, 1958
85th-2d, No. 139

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HIGHLIGHTS: House cleared for President: Humane slaughter bill; USDA insured loans bill. Rep. McCormack announced farm bill to be considered today (Aug. 14). Senate committee reported supplemental appropriation bill (to be considered today, Aug. 14). Several Senators urged passage of cotton, rice, and wool legislation. Senate passed education bill. Sen. Proxmire introduced and discussed bill to extend marketing orders to producers of fresh fruits and vegetables. Sen. Symington submitted and discussed measure to freeze cotton and rice acreage allotments.

HOUSE

- 1. FARM PROGRAM.** Rep. McCormack announced that S. 4071, the farm bill, would be considered today, Aug. 14, under suspension of the rules. (p. 16013) Rep. Cooley inserted a copy of the bill to be considered, which he stated would be an amendment to the bill as passed by the Senate. (pp. 16026-29)
- 2. FARM LOANS.** Passed under suspension of the rules S. 3333, to facilitate the insurance of farm ownership and soil and water conservation loans. This bill will now be sent to the President. (pp. 16029-30) See Digest 137 for provisions of the bill.
- 3. HUMANE SLAUGHTER.** Concurred in the Senate amendments to H. R. 8308, to provide for the humane slaughter of livestock. This bill will now be sent to the President. (p. 16029) See Digest 128 for a summary of the Senate amendments.
- 4. EXCISE TAXES.** Received the conference report on H. R. 7125, to make technical changes in the Federal excise tax laws (H. Rept. 2596). House conferees were appointed earlier in the day. Senate conferees have been appointed. pp. 15956, 16053-56

5. ROADS. Concurred in the Senate amendment to H. R. 12776, to revise, codify, and enact into law, title 23 of the U. S. Code entitled "Highways." This bill will now be sent to the President. pp. 15998-99
6. FOOD ADDITIVES. Passed under suspension of the rules H. R. 13254, to amend the Federal Food, Drug, and Cosmetic Act so as to prohibit the use in food of additives which have not been adequately tested to establish their safety. pp. 16013-26
7. LANDS. Concurred in the Senate amendment to H. R. 4635, to provide for the settlement and entry of public lands in Alaska containing coal, oil, or gas under Sec. 10 of the act of May 14, 1898. This bill will now be sent to the President. p. 16034
8. HOUSING. Rep. Mack urged passage of S. 4035, the omnibus housing bill, before Congress adjourns. p. 16036
9. TRANSPORTATION. Rep. Tollefson referred to certain foreign criticism of the cargo preference legislation, which requires that at least 50 percent of U. S. shipments under the foreign aid program be shipped in American vessels, and stated that "I am convinced that Congress will not relax its views with respect to" this shipping requirement. p. 16036
10. SCHOOL LUNCHES. The District of Columbia Committee reported with amendment S. 1764, to authorize payment of the cost of free lunches for needy children in the D. C. public schools (H. Rept. 2588). p. 16056
11. MINERALS; WATER RESOURCES. Agreed to the Senate amendment to H. R. 11123, to authorize Interior to perform surveys, investigations, and research in geology, biology, minerals and water resources. This bill will now be sent to the President. p. 16034
12. RESEARCH. The Interstate and Foreign Commerce Committee ordered reported S. 4039, to authorize the head of any Government agency now making contracts for research to grant funds for the support of such research. p. D844
13. INFORMATION. Received a report from the Government Operations Committee "pertaining to information from Federal departments and agencies" (H. Rept. 2578). p. 16056
14. RECLAMATION. Received from Interior a report on Red Willow Dam and Reservoir and associated works, and Frenchman-Cambridge division, Missouri River Basin project, Nebr. p. 16056

SENATE

15. FARM PROGRAM. Sen. McClellan urged the passage of legislation this session to prevent reductions in cotton and rice acreage. Sen. Stennis concurred in his opposition to adjourning until the farm legislation is passed. Sen. Johnson stated: "Too many people in this field have been too adamant," and urged that a compromise farm bill be worked out. Sens. Johnston, Jordan, and Hill agreed that farm legislation is necessary. pp. 15844-5
Sens. Mansfield, Barrett, Allott, and Thye urged the passage of the Wool Act extension bill, and stated that the woolgrowers would be endangered if the law were not extended this session. pp. 15856-8

was displaced prior to 1955. In any case where the cropland acquired for nonfarming purposes from an owner by an agency having the right of eminent domain represents less than 15 percent of the total cropland on the farm, the allotment attributable to that portion of the farm so acquired shall be transferred to that portion of the farm not so acquired."

"(d) Section 313 (h), 334 (d), 334 (h), 353 (f), and 358 (h) of the Agricultural Adjustment Act of 1938, as amended, are repealed, but any transfer or reassignment of allotment heretofore made under the provisions of these sections shall remain in effect, and any displaced farm owner for whom an allotment has been established under such repealed sections shall not be eligible for additional allotment under subsection (a) of this section because of such displacement."

SEC. 502. Section 405 of the Agricultural Act of 1949 is amended by adding at the end thereof the following: "There is authorized to be included in the terms and conditions of any such nonrecourse loan a provision whereby on and after the maturity of the loan or any extension thereof Commodity Credit Corporation shall have the right to acquire title to the unredeemed collateral without obligation to pay for any market value which such collateral may have in excess of the loan indebtedness."

SEC. 503. Section 201 (b) of the Agricultural Act of 1949, as amended, is amended by changing the semicolon at the end thereof to a colon and adding the following: "Provided, That in any crop year in which the Secretary determines that the domestic production of tung oil will be less than the anticipated domestic demand for such oil, the price of tung nuts shall be supported at not less than 65 percent of the parity price therefor."

Extend veterans and armed services milk program

SEC. 504. (a) The first sentence of section 202 (a) of the Agricultural Act of 1949, as amended (7 U. S. C. 1446a), is amended by striking out "1958" and inserting in lieu thereof "1961."

(b) Subsection (b) of section 202 of the Agricultural Act of 1949 (7 U. S. C. 1446a) is amended by striking out "1958" and inserting in lieu thereof "1961", by striking out "of the Army, Navy, or Air Force, and as a part of the ration" and inserting in lieu thereof "(1) of the Army, Navy, Air Force, or Coast Guard, (2)", and by inserting before the period at the end of the first sentence of such subsection the following: ", and (3) of cadets and midshipmen at, and other personnel assigned to, the United States Merchant Marine Academy."

SEC. 505. Commodity Credit Corporation is authorized, on such terms as the Secretary of Agriculture may approve, to donate cotton acquired through its price support operations to educational institutions for use in the training of students in the processing and manufacture of cotton into textiles.

ESTABLISHING USE OF HUMANE METHODS OF SLAUGHTER OF LIVESTOCK AS POLICY OF THE UNITED STATES

Mr. POAGE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 8308) an act to establish the use of humane methods of slaughter of livestock as a policy of the United States, and for other purposes, with amendments of the Senate thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, line 24, strike out "December 31, 1959" and insert "June 30, 1960."

Page 3, line 17, strike out "December 31, 1959" and insert "June 30, 1960."

Page 4, line 8, strike out "June 30, 1958" and insert "March 1, 1959."

Page 4, line 16, strike out "July 1, 1959" and insert "March 1, 1959."

Page 4, line 23, after "herein," insert "Handling in connection with such slaughtering which necessarily accompanies the method of slaughter described in subsection (b) of this section shall be deemed to comply with the public policy specified by this section."

Page 6, strike out lines 13 to 17, inclusive, and insert: "Sec. 6. Nothing in this act shall be construed to prohibit, abridge, or in any way hinder the religious freedom of any person or groups. Notwithstanding any other provision of this act, in order to protect freedom of religion, ritual slaughter and the handling or other preparation of livestock for ritual slaughter are exempted from the terms of this act. For the purposes of this section the term 'ritual slaughter' means slaughter in accordance with section 2 (b)."

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

FACILITATING INSURANCE OF LOANS UNDER TITLE I OF BANKHEAD-JONES FARM TENANT ACT AND ACT OF AUGUST 28, 1937

Mr. POAGE. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3333) to facilitate the insurance of loans under title I of the Bankhead-Jones Farm Tenant Act, as amended, and the act of August 28, 1937, as amended, relating to the conservation of water resources, and for other purposes.

The Clerk read the bill, as follows:

Be it enacted, etc., That title I of the Bankhead-Jones Farm Tenant Act, as amended (7 U. S. C. 1000 and the following), is further amended as follows:

(a) The following new section 18 is added:

"SEC. 18. (a) The Secretary of Agriculture is authorized:

"(1) To make loans complying with the requirements of title I of this act for the purpose of insuring and selling such loans to lenders other than the United States. Any security instrument taken in connection with such loan shall create a lien running to the United States, notwithstanding the fact that the note may be held by such lender or his assignee;

"(2) To insure and make commitments to insure such loans, which, when endorsed for insurance, shall be covered by the insurance provisions of this title;

"(3) To sell such loans at an annual charge, at a rate to be determined by the Secretary, of not less than 1 percent of the unpaid principal obligation from time to time outstanding on the loan, such charge to be retained by the Secretary out of interest payments made by the borrower: *Provided*, That the total of the rate of such charge plus the rate of return to the holder of the note shall not exceed the interest rate specified in the note. Out of the charges

so collected an amount not half of 1 percent of such unobligations shall be deposited in a part of the fund. The remainder of such charges collected shall be deposited in the Treasury to the credit of the Secretary and may be transferred annually to the administrative expense account of the Farmers Home Administration and become merged therewith. Each such loan shall be sold at the full amount of the unpaid balance thereof at the time of sale, but no loan shall be sold if such balance exceeds 90 percent of the amount certified by the county committee to be the value of the farm, less any prior lien indebtedness at the time the loan was made or upon a determination of such fact by the Secretary at the time of sale;

"(4) To make loans out of moneys in the fund for the purpose of insuring and selling the same under this section: *Provided, however*, That no loan made under this item (4) shall be in excess of 90 percent of the amount certified by the county committee to be the value of the farm less any prior lien indebtedness: *And provided further*, That no loan shall be made under this item (4) unless the Secretary has reasonable assurance that it can be sold without undue delay. That Secretary may, at his discretion, utilize the provisions of subsections 13 (b) and 13 (c) of this title to borrow from the Secretary of the Treasury an additional sum not in excess of \$5 million for deposit in the fund for this purpose and said subsections are hereby extended to cover such borrowings for the purpose of making loans under this item (4) and under item (4) of subsection 11 (a) of the act of August 28, 1937, as amended (relating to the conservation of water resources). The amount of the principal obligations on loans made under this item (4) and not disposed of under this section, plus the amount of the principal obligations on loans made out of moneys in the fund under said item (4) of subsection 11 (a) of the act of August 28, 1937, as amended, and not disposed of under such section 11, shall not exceed the aggregate sum of \$5 million at any one time.

"(b) The interest rate shall be as provided in section 3 (b) (2) of this title and the borrower shall not be required to pay any additional charges for insurance of the loan, but the Secretary may require the payment of such appraisal and delinquency charges as he deems proper.

"(c) The amount of the principal obligations on loans made under item (a) (4) of this section shall be included in computing the aggregate amount of the principal obligations which may be insured in any one fiscal year, as provided in section 12 (b) of this title, at the time such loans are made. The amount of the principal obligations on any other loans made by the Secretary and insured under this section shall not be included in computing said aggregate amount.

"(d) Loans made from funds advanced by lenders other than the United States may be insured by the Secretary upon terms and conditions consistent with the provisions of this section. Loans made or insured under this section shall be subject to all the provisions of this title except as otherwise provided in this section.

"(e) Any loan heretofore or hereafter made or insured under this title may be converted to an insured loan under this section at the discretion of the Secretary, and any expenses in connection with such conversion may be paid out of funds available for administrative expenses.

"(f) The Secretary is further authorized to sell any loan heretofore or hereafter made or insured under this title without insurance thereof upon the written consent of the borrower, or without such consent when the borrower has failed to comply with his agreement to refinance the indebtedness at the

Secretary. Such loan shall be all amount of the unpaid balance, and upon such sale the Secretary is authorized to assign the security instrument and evidence of debt in such manner that the United States shall have no further right or obligation with respect to the loan."

(b) The third sentence of section 13 (b) is amended to read:

"Such notes shall have such maturities as the Secretary may determine with the approval of the Secretary of the Treasury, and shall bear interest at a rate fixed by the Secretary of the Treasury, taking into consideration the current average market yields of outstanding marketable obligations of the United States having maturities comparable to the loans made or insured by the Secretary."

(c) Section 15 (a) is amended to add the following sentence:

"Section 5200 of the Revised Statutes (12 U. S. C. 84) is hereby amended to add a new paragraph bearing the next number after that of the last paragraph of the present section 5200 of the Revised Statutes and reading as follows: 'Obligations insured by the Secretary of Agriculture pursuant to the Bankhead-Jones Farm Tenant Act, as amended, or the act of August 28, 1937, as amended (relating to the conservation of water resources), shall be subject under this section to a limitation of 15 percent of such capital and surplus in addition to such 10 percent of such capital and surplus.'"

SEC. 2. The act entitled "An act to promote conservation in the arid and semiarid areas of the United States by aiding in the development of facilities for water storage and utilization, and for other purposes," approved August 28, 1937, as amended (16 U. S. C. 590r-590x-3), is further amended by inserting at the end of said act the following new section:

"SEC. 11. (a) The Secretary of Agriculture is authorized:

"(1) To make loans complying with the requirements of this act for the purpose of insuring and selling such loans to lenders other than the United States. Any security instrument taken in connection with such loan shall create a lien running to the United States, notwithstanding the fact that the note may be held by such lender or his assignee;

"(2) To insure and make commitments to insure such loans, which, when endorsed for insurance, shall be covered by the insurance provisions of this act;

"(3) To sell such loans at an annual charge, at a rate to be determined by the Secretary, of not less than 1 percent of the unpaid principal obligation from time to time outstanding on the loan, such charge to be retained by the Secretary out of interest payments made by the borrower: *Provided*, That the total of the rate of such charge plus the rate of return to the holder of the note shall not exceed the interest rate specified in the note. Out of the charges so collected an amount not in excess of one-half of 1 percent of such unpaid principal obligations shall be deposited in and become a part of the fund. The remainder of such charges collected shall be deposited in the Treasury to the credit of the Secretary and may be transferred annually to the administrative expense account of the Farmers' Home Administration and become merged therewith. Each such loan shall be sold at the full amount of the unpaid balance thereof at the time of sale, but no loan, except loans to associations (including corporations not operated for profit and public or quasi-public agencies), shall be sold if such balance exceeds 90 percent of the value of the security less any prior lien indebtedness at the time the loan was made or upon a determination of such fact by the Secretary at the time of sale;

"(4) To make loans out of moneys in the fund, including funds borrowed from the

Secretary of the Treasury under item (4) of subsection 18 (a) of the Bankhead-Jones Farm Tenant Act, as amended, within the aggregate limits therein provided, for the purpose of insuring and selling such loans under this section: *Provided, however*, That no loan made under this item (4) shall be in excess of 90 percent of the value of the security less any prior lien indebtedness, but such limitation shall not apply to loans to associations, including corporations not operated for profit and public or quasi-public agencies: *And provided further*, That no loan shall be made under this item (4) unless the Secretary has reasonable assurance that it can be sold without undue delay.

"(b) The borrower shall not be required to pay any additional charges for insurance of the loan, but the Secretary may require the payment of such appraisal and delinquency charges as he deems proper. The proceeds of such appraisal or delinquency charges shall be deposited in the Treasury for use for administrative expense as provided in item (a) (3) of this section.

"(c) The amount of the principal obligations on loans made under item (a) (4) of this section shall be included in computing the aggregate amount of the principal obligations which may be insured in any one fiscal year, as provided in section 10 (e) of this act, at the time such loans are made. The amount of the principal obligations on any other loans made by the Secretary and insured under this section shall not be included in computing said aggregate amount.

"(d) Loans made from funds advanced by lenders other than the United States may be insured by the Secretary upon terms and conditions consistent with the provisions of this section, but no such loan, except loans to associations (including corporations not operated for profit and public or quasi-public agencies), shall be in excess of 90 percent of the value of the security less any prior lien indebtedness. Loans made or insured under this section shall be subject to all the provisions of this act except as otherwise provided in this section.

"(e) Any loan heretofore or hereafter made or insured under this act may be converted to an insured loan under this section at the discretion of the Secretary, and any expenses in connection with such conversion may be paid out of funds available for administrative expenses.

"(f) The Secretary is further authorized to sell any loan heretofore or hereafter made or insured under this act without insurance thereof upon the written consent of the borrower, or without such consent when the borrower has failed to comply with his agreement to refinance the indebtedness at the request of the Secretary. Such loan shall be sold at the full amount of the unpaid balance thereof, and upon such sale the Secretary is authorized to assign the security instrument and evidence of debt in such manner that the United States shall have no further right or obligation with respect to the loan."

The SPEAKER. Is a second demanded? [After a pause.] If not, the Chair will put the question.

The question is: Will the House suspend the rules and pass the bill?

The question was taken; and (two-thirds having voted in favor thereof), the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

IRRIGATION SYSTEM FOR CERTAIN LANDS

Mr. ASPINALL. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 9239) to provide for the construc-

tion of an irrigation distribution system and drainage works for restricted Indian lands within the Coachella Valley County Water District in Riverside County, Calif., and for other purposes, as amended.

The Clerk read as follows:

Be it enacted, etc., That section 1 of the act of August 25, 1950 (64 Stat. 470), is amended to read as follows:

"(a) The Secretary of the Interior is hereby authorized and directed to—

"(1) designate the trust or restricted Indian lands on the Cabazon, Augustine, and Torres-Martinez Indian Reservations which may be irrigated from distribution facilities administered by the Coachella Valley County Water District in Riverside County, Calif.;

"(2) construct an irrigation distribution system and drainage works within improvement district No. 1 of the Coachella Valley County Water District that connect with the distribution system and drainage works now administered by Coachella Valley County Water District and that will irrigate and drain the Indian lands designated therein pursuant to this section: *Provided*, That such irrigation and distribution system and drainage works shall be constructed on the Torres-Martinez Indian Reservation only upon the request of the Indian owners of the lands to be irrigated thereby and a determination by the Secretary of the Interior that the construction of the irrigation distribution system and drainage works is economically feasible;

"(3) contract with the Coachella Valley County Water District, prior to the construction of the irrigation distribution system and drainage works authorized by this section, for engineering and supervision services in connection with such construction, and for the care, operation, and maintenance thereof after construction. Such contract shall provide, among other things, that—

"(f) the irrigation distribution system and drainage works authorized to be constructed by this section, or any major part thereof, when completed and ready for use as determined by the Secretary, shall be turned over to the district for care, operation, and maintenance and the district shall assume the care, operation, and maintenance thereof upon 60 days written request therefor made by the Secretary;

"(ii) water shall be delivered to the lands within improvement district No. 1 designated pursuant to this section, through the irrigation distribution system authorized to be constructed, under the same rules and regulations, to the same extent, and for the same charges as water is delivered by the district to other lands similarly located within the district. As long as said Indian lands for which an irrigation distribution system is constructed pursuant to this section remain in a trust or restricted status the Secretary shall guarantee payment to the district for all such charges for the delivery of water, including standby charges, as well as payment of an amount of money during each year equal to the amount which would be levied by or on behalf of the district in the form of taxes on said lands if said lands were on the assessment rolls of Riverside County;

"(iii) one-half of all moneys received by the district for the delivery of water to the designated lands (not including gate and other service charges) shall be paid annually by the district to the United States until the United States has been reimbursed in full for the actual costs incurred in the construction of the distribution system and drainage works authorized by this section;

"(iv) article 21 (access books and records), article 23 (disputes or disagreements), article 35 (remedies under contract not exclusive), article 36 (interest in contract not transferable), article 39 (officials not to benefit), and article 41 (representative of the

Public Law 85-765
85th Congress, H. R. 8308
August 27, 1958

AN ACT

To establish the use of humane methods of slaughter of livestock as a policy of the United States, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress finds that the use of humane methods in the slaughter of livestock prevents needless suffering; results in safer and better working conditions for persons engaged in the slaughtering industry; brings about improvement of products and economies in slaughtering operations; and produces other benefits for producers, processors, and consumers which tend to expedite an orderly flow of livestock and livestock products in interstate and foreign commerce. It is therefore declared to be the policy of the United States that the slaughtering of livestock and the handling of livestock in connection with slaughter shall be carried out only by humane methods.

Humane methods of slaughter.

SEC. 2. No method of slaughtering or handling in connection with slaughtering shall be deemed to comply with the public policy of the United States unless it is humane. Either of the following two methods of slaughtering and handling are hereby found to be humane:

(a) in the case of cattle, calves, horses, mules, sheep, swine, and other livestock, all animals are rendered insensible to pain by a single blow or gunshot or an electrical, chemical or other means that is rapid and effective, before being shackled, hoisted, thrown, cast, or cut; or

(b) by slaughtering in accordance with the ritual requirements of the Jewish faith or any other religious faith that prescribes a method of slaughter whereby the animal suffers loss of consciousness by anemia of the brain caused by the simultaneous and instantaneous severance of the carotid arteries with a sharp instrument.

SEC. 3. The public policy declared herein shall be taken into consideration by all agencies of the Federal Government in connection with all procurement and price support programs and operations and after June 30, 1960, no agency or instrumentality of the United States shall contract for or procure any livestock products produced or processed by any slaughterer or processor which in any of its plants or in any plants of any slaughterer or processor with which it is affiliated slaughters or handles in connection with slaughter livestock by any methods other than methods designated and approved by the Secretary of Agriculture (hereinafter referred to as the Secretary) pursuant to section 4 hereof: *Provided*, That during the period of any national emergency declared by the President or the Congress, the limitations on procurement required by this section may be modified by the President to the extent determined by him to be necessary to meet essential procurement needs during such emergency. For the purposes of this section a slaughterer or processor shall be deemed to be affiliated with another slaughterer or processor if it controls, is controlled by, or is under common control with, such other slaughterer or processor. After June 30, 1960, each supplier from which any livestock products are procured by any agency of the Federal Government shall be required by such agency to make such statement of eligibility under this section to supply such livestock products as, if false, will subject the maker thereof to prosecution, title 18, United States Code, section 287.

Procurement, etc.,
by U. S. after
June 30, 1960.

72 Stat. 862.
72 Stat. 863.

62 Stat. 698.

Authority of
Secretary of
Agriculture.

SEC. 4. In furtherance of the policy expressed herein the Secretary is authorized and directed—

(a) to conduct, assist, and foster research, investigation, and experimentation to develop and determine methods of slaughter and the handling of livestock in connection with slaughter which are practicable with reference to the speed and scope of slaughtering operations and humane with reference to other existing methods and then current scientific knowledge;

(b) on or before March 1, 1959, and at such times thereafter as he deems advisable, to designate methods of slaughter and of handling in connection with slaughter which, with respect to each species of livestock, conform to the policy stated herein. If he deems it more effective, the Secretary may make any such designation by designating methods which are not in conformity with such policy. Designations by the Secretary subsequent to March 1, 1959, shall become effective for purposes of section 3 hereof 180 days after their publication in the Federal Register;

(c) to provide suitable means of identifying the carcasses of animals inspected and passed under the Meat Inspection Act (21 U. S. C. 71 and the following) that have been slaughtered in accordance with the public policy declared herein. Handling in connection with such slaughtering which necessarily accompanies the method of slaughter described in subsection (b) of this section shall be deemed to comply with the public policy specified by this section.

34 Stat. 1260.

Advisory Com-
mittee.

SEC. 5. To assist in implementing the provisions of section 4, the Secretary is authorized to establish an advisory committee. The functions of the Advisory Committee shall be to consult with the Secretary and other appropriate officials of the Department of Agriculture and to make recommendations relative to (a) the research authorized in section 4; (b) obtaining the cooperation of the public, producers, farm organizations, industry groups, humane associations, and Federal and State agencies in the furtherance of such research and the adoption of improved methods; and (c) the designations required by section 4. The Committee shall be composed of twelve members, of whom one shall be an officer or employee of the Department of Agriculture designated by the Secretary (who shall serve as Chairman); two shall be representatives of national organizations of slaughterers; one shall be a representative of the trade-union movement engaged in packinghouse work; one shall be a representative of the general public; two shall be representatives of livestock growers; one shall be a representative of the poultry industry; two shall be representatives of national organizations of the humane movement; one shall be a representative of a national professional veterinary organization; and one shall be a person familiar with the requirements of religious faiths with respect to slaughter. The Department of Agriculture shall assist the Committee with such research personnel and facilities as the Department can make available. Committee members other than the Chairman shall not be deemed to be employees of the United States and are not entitled to compensation but the Secretary is authorized to allow their travel expenses and subsistence expenses in connection with their attendance at regular or special meetings of the Committee. The Committee shall meet at least once each year and at the call of the Secretary and shall from time to time submit to the Secretary such reports and recommendations with respect to new or improved methods as it believes should be taken into consideration by him in making the designations required by section 4 and the Secretary shall make all such reports available to the public.

72 Stat. 863.

72 Stat. 864.

August 27, 1958

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Pub. Law 85-765

72 Stat. 864.

SEC. 6. Nothing in this Act shall be construed to prohibit, abridge, or in any way hinder the religious freedom of any person or group. Notwithstanding any other provision of this Act, in order to protect freedom of religion, ritual slaughter and the handling or other preparation of livestock for ritual slaughter are exempted from the terms of this Act. For the purposes of this section the term "ritual slaughter" means slaughter in accordance with section 2 (b).

Religious
freedom.

"Ritual
slaughter".

Approved August 27, 1958.

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